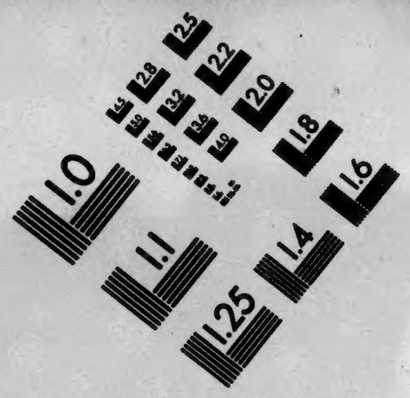
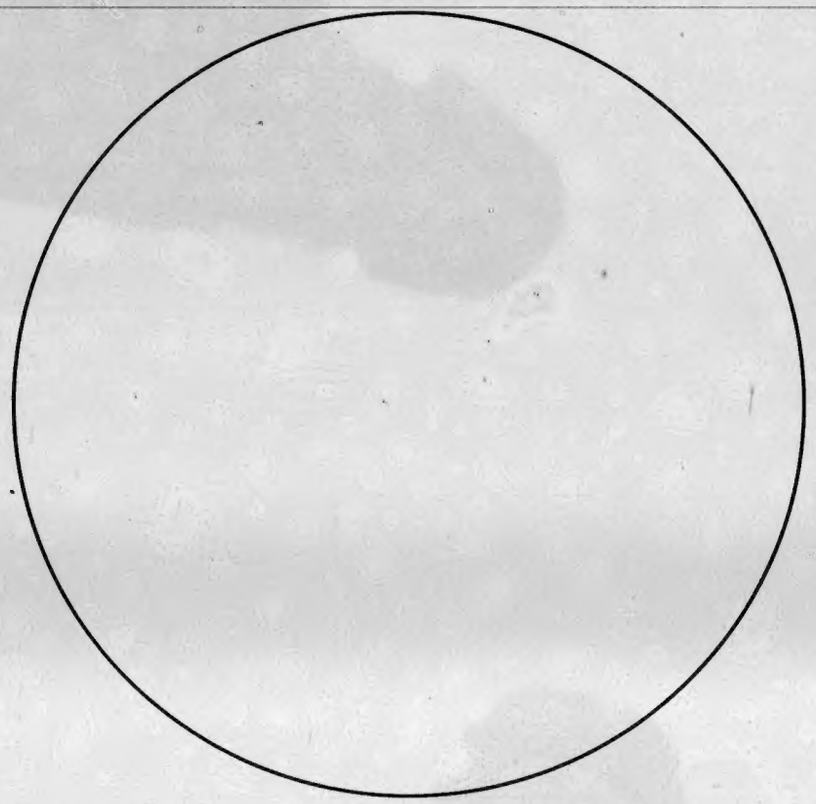
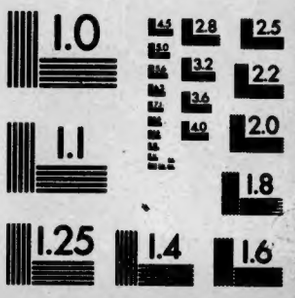


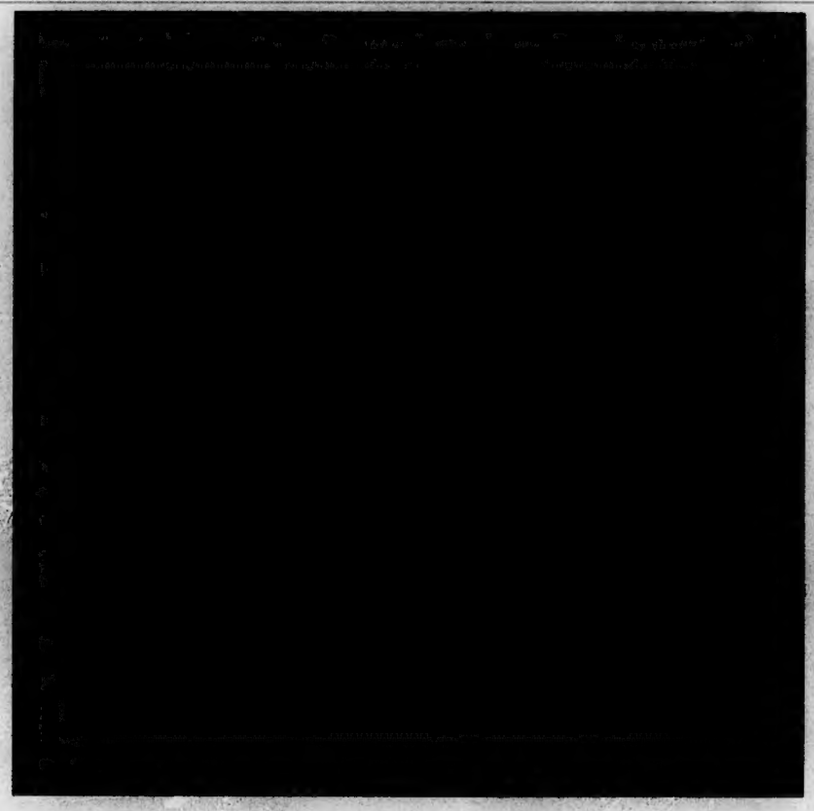


THE GENEALOGICAL SOCIETY
OF UTAH
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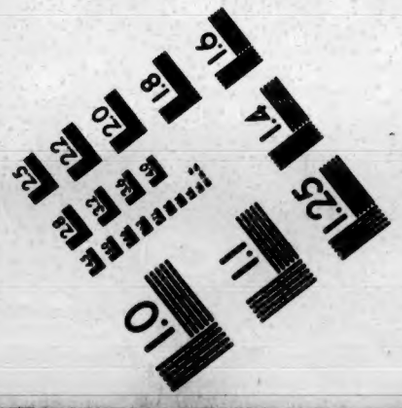






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NATIONAL ARCHIVES MICROFILM PUBLICATIONS

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APPLICATIONS FOR ENROLLMENT OF THE

COMMISSION TO THE FIVE CIVILIZED TRIBES

1898 - 1914

Roll 32

Choctaw by Blood 5149 - 5264

THE NATIONAL ARCHIVES
NATIONAL ARCHIVES AND RECORDS SERVICE
GENERAL SERVICES ADMINISTRATION

WASHINGTON: 1963

Clue 5577 Jones
Date 12/1/60

A

Choctaw Court Card 194

In the application of James Goins Jr.

James Goins . says:

James Goins Jr is my son. His wife lives down in Texas. He is separated from his family. He has been in the Territory since I came. (See testimony of James Goins, Choctaw Court Card 193)

Ardmore, Sept. 23 1898.

James Goins Jr.

enrolled .

Chas. [illegible]

No. 13 [illegible]

See Charles [illegible]

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

----o----

Record in the matter of the application for enrollment as citizens by blood of the Choctaw Nati on of:

CLARENCE E. GOINS, ET AL., 7-5150.

----o----

Choctaw Court Card C. 195

IN RE application of William L. Goins and others.

Commissioner McKennon

William L. Goins says:

I was admitted as "William Henry" Goins. Clarence E. was born December 13th 1898.

I came to the Territory the last fday of March, 1898 and have lived here ever since.

Ardmore, Sept. 23 1898.

William L. Goins
Clarence E. Goins

enrolled.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Atoka, Ind. Ter. June 4, 1900.
Chic.-Chick.

In the Matter of the application of :
Wm. Goins for enrollment as a Citizen:
of the Chickasaw Nation. :

William Goins, being first duly sworn, by Acting Chairman Bixby, testified as follows:

Q What is your name? A Wm Goins.
Q What is your postoffice address? A Arden.
Q You claim to be a Chactaw by blood? A Yes sir.
Q You was admitted by the United States court? A Yes sir.
Q You wish to make application for enrollment of some of your children? What is the name of the eldest child that you wish to make application for? who are under 21 years of age?
A Their names are as follows: Sarah W., born May 18, 1887, Nellie G., born Feb. 15, 1889, Lulu, born Nov. 12, 1890; Tomer A. born March 1, 1893, Henry A. born May 27, 1894, and Wm. B., born June 3, 1896. Also, Allie May, born April 28, 1900.
Q Were the names of any of these children in the judgment rendered by the United States court? A No, they were not in the application..
Q Were the names of any of these children in the original application which you made to the Dawes Commission in '96? A No, they was not; I tried both times and they objected to them.
Q All of these children excepting Allie May, who was born Apr. 28, 1900, were living at the time of the original application to the Dawes Commission, were they not? A Yes, and they are all alive now
Q Where do these children live? A They live with me at Arden, I. T.
Q Have they always lived in the Chickasaw nation? A Yes sir.
Q What is your wife's name? A Lizzie.
Q Is she a citizen of the U. S.? A Yes, she is a white woman.
Q She does not claim an intermarriage citizenship does she? A No.
Q Are these children the children of your wife who is living now?
A Yes sir.
Q And all of the children born in Ind. Ter? A No, some of them were born in Texas.
Q Which ones were born in Tex? A The three eldest.

The Commission will refuse the enrollment of all of your children ~~[illegible]~~ excepting Allie May for the reason that they were born before the original application was made to the Dawes Commission.
If there is any further testimony you want to produce, any affidavits or papers of any kind that you want to file with the Commission, you can do so, and these records will be forwarded to the Secretary of the Interior for his final approval and review.

Frances R. Brown, being first duly sworn, says that as stenographer to the Commission to the Five Civilized Tribes, she reported the testimony of the above mentioned witness, and that the foregoing is a true correct and complete transcript of her shorthand notes in the above entitled case.

Frances R. Brown

Subscribed in my presence and sworn to before me this 4th day of June, A. D., 1900.

6

Acting Chairman.

IN RE

Application for Enrollment of

INFANT CHILD

Allie May Goins

as a citizen of the

CHOCTAW. Nation.

Approved, SEP 10 1900 190

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
SEP 10 1900

ACTING CHAIRMAN.

12

CHOCTAW
5150.

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation.

of Allie May Goins, born on the 28 day of April, 1900.
(Here insert name of child)

Name of Father: William L. Goins, a citizen of the Choctaw Nation.

Name of Mother: Lizzie Goins, a citizen of the Choctaw Nation.

Postoffice, Leton, I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY.
Southern District.

I, Lizzie Goins, on oath state that I am 33 years of age and a citizen, by intermarriage, of the Choctaw Nation; that I am the lawful wife of Wm L. Goins, who is a citizen, by blood, of the Choctaw Nation; that a female child was born to me on the 28 day of April, 1900, that said child has been named Allie May Goins, and is now living.
(male or female)

Lizzie Goins

WITNESSES TO MARK:

(Must be Two Witnesses.) Mary Southward
Callie Edwards

Subscribed and sworn to before me this 5 *day of* Sept 1900

B Wood
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY.
District.

I, Laura Harmon, a midwife, on oath state that I attended on Mrs. Lizzie Goins, wife of Wm L. Goins, on the 28 day of April, 1900, that there was born to her on said date a female child; that said child is now living and is said to have been
(male or female)
named Allie May Goins

Larina Harmon

WITNESSES TO MARK:

(Must be Two Witnesses.) Callie Edwards
Mary Southward

Subscribed and sworn to before me this 5 *day of* Sept 1900

B Wood
NOTARY PUBLIC.

7-5150.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

----o----

In the matter of the application for the enrollment of Clarence E. Goins and Allie May Goins as citizens by blood of the Choctaw Nation.

--: D E C I S I O N :--

The applicants, Clarence E. Goins and Allie May Goins, claim their right to enrollment as citizens by blood of the Choctaw Nation through their father William L. Goins. The right of the applicants' father, William L. Goins, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, June 29, 1904, in case No. 31 upon the Tishomingo docket of said court, it is hereby ordered that the application of Clarence E. Goins and Allie May Goins for enrollment as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Chairman.

Muskogee, Indian Territory,

SEP 10 1904

Muskogee, Indian Territory, September 12, 1904.

COPY

William L. Goins,

Purcell, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated September 10, 1904, dismissing the application for the enrollment of Clarence E. Goins and Allie May Goins, as citizens by blood of the Choctaw Nation.

Respectfully,

SIGNED

Tams Bixby.

Chairman.

Registered.

Choctaw-5159

COPY.

Muskogee, Indian Territory, September 12, 1904.

Mansfield, McMurray & Cornish,
Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission, dated September 10, 1904, dismissing the application for the enrollment of Clarence E. Goins and Allie May Goins, as citizens by blood of the Choctaw Nation.

Respectfully,
SIGNED
Tams Bixby.
Chairman.

Inds. 7w5159.

Muskogee, I. T., September, 11th, 1900.

William L. Goins,
Ireton, I. T.

Dear Sir:

The Commission is in receipt of the application for enrollment as a citizen of the Choctaw Nation of Allie May Goins, the infant daughter of William L. and Lizzie Goins, born April 28th, 1900 and the same being in proper form has been duly filed with the record of the Commission.

Yours truly,

Acting Chairman.

7-5150.

Choctaw 5150

Muskogee, Indian Territory, April 24, 1903.

William L. Goins,

Purcell, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of April 19, asking if court claimants will be permitted to make temporary filings on the land claimed by them.

In reply to your letter you are advised that section fifteen of the rules and regulations governing the selection of allotments and the designation of homesteads in the Choctaw and Chickasaw Nations, copy of which is herewith inclosed you, provides as follows:

"Selections of allotments may be made only by citizens and freedmen whose enrollment has been approved by the Secretary of the Interior, and by persons duly identified by the Commission to the Five Civilized Tribes as Mississippi Choctaws, and by none others."

You are informed, however, that the Commission will endeavor to protect the property interests of so-called court claimants, and in the event application is made by another citizen for the land on which so-called court claimants have improvements, not in excess of lawful allotments, they will be notified of such application, and will be permitted to institute contest proceedings for the land on which their said improvements are located.

Respectfully,

7-5150

Muskogee, Indian Territory, November 7, 1906.

Mrs. Fannie Crenshaw,
Temple, Oklahoma.

Dear Madam:

Your letter of October 26, 1906, addressed to the United States Indian Agent has been by him referred to this office for consideration and appropriate action; therein you state that you are a Choctaw by blood and desire to know how to proceed to secure your enrollment; you state that your father is named William Goins.

In reply to your letter you are advised that it does not appear from the records of this office that application has been made by you or on your behalf for enrollment as a citizen by blood of the Choctaw Nation by the name of Fannie Goins or Fannie Crenshaw and if no application has been made for your enrollment prior to December 1, 1906, there is now no authority for the reception of original applications for enrollment.

Respectfully,

Commissioner.

Cloe 5151 Eveline Puddies

A

Chickasaw Court Card C. 196

In the application of Eveline Paddieo and others.

Sworn by Commissioner McKennon

Eveline Paddieo says:

We came to the Territory in May 1898. Tasso has been here 11 years. Reuben came May 20th from Texas.

Eveline Paddieo
Tassoe Paddieo
Reuben Paddieo

Ardmore, Sept. 23 1898.

enrolled.

Chac 5152

John Peebles

10th 4-3 Discussed today

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

----o----

Record in the matter of the application for enrollment as citizens by blood of the Choctaw Nation of:

JAMES I. PADDIEO, ET AL., 7-5152.

----o----

Choctaw Court Card α 197

IN RE application of John Paddieo and others.

Commissioner McKen

John Paddieo says:

I came to the Territory May 2 0th 1898 and have been living here ever since .

James I. was born January 20th 1898.

Ardmore, Sept. 23 1898.

John Paddieo
James I. Paddieo

enrolled.

No. 6656

Marriage License.

John Padillas

And

Melonia McGraw

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
SEP 13 1901

ACTING CHAIRMAN.

Recorded in Marriage Record,

Book G.

Page 399

Sam P. Smith Clerk

By Thad H. Smith Deputy.

CHOCTAW.

5152

Enrolled

Buckeye Printing Co San Antonio, Texas

The State of Texas

COUNTY OF BEXAR.

TO Any Regular Licensed or Ordained Minister of the Gospel, Jewish Rabbi, Judge of the
x x District Court, Judge of the County Court, or Justice of the Peace;

You, or either of you, are hereby authorized to solemnize or join in the

Holy Union of Matrimony

John Padillar and Melvina McGraw

in accordance with the laws of this State, and that you make due return of this, your authority, to my office, in sixty days from date hereof, certifying how you have executed the same.

Given under my hand and the seal of the County Court of Bexar County, this 21st day of February 1882

Sam D. Smith
County Clerk, Bexar County.

By Thad W. Smith Deputy.

The foregoing License executed by me joining the within named parties in the

CERTIFICATE OF TRUE COPY PAPERS ON FILE Class 2c3 Maverick-Clarke Litho. Co. Stationers and Printers San Antonio

THE STATE OF TEXAS,
County of Bexar

I, Frank W. Newton Clerk of the County Court of Bexar County, Texas, do hereby certify that the foregoing is a true and correct copy of the original Marriage License between John Padillar and Melvina McGraw now on file in said Court, my office of record in Book G, page 399

Given Under my Hand and the seal of said Court, at office in San Antonio Texas this 12th day of September 1901

Frank W. Newton Clerk,

By John Stappenbeck Deputy.

The State of Texas

COUNTY OF BEXAR.

TO Any Regular Licensed or Ordained Minister of the Gospel, Jewish Rabbi, Judge of the District Court, Judge of the County Court, or Justice of the Peace;

You, or either of you, are hereby authorized to solemnize or join in the

Holy Union of Matrimony

John Padillar and Melvina McGraw

in accordance with the laws of this State, and that you make due return of this, your authority, to my office, in sixty days from date hereof, certifying how you have executed the same.

Given under my hand and the seal of the County Court of Bexar County, this 21st day of February 1882

Sam D. Smith
County Clerk, Bexar County.

By Thad W. Smith Deputy.

The foregoing License executed by me, joining the within named parties in the

HOLY UNION OF MATRIMONY

this the 21st day of February 1882

Alexander McGraw
Martha L. DeVilbiss
} Two WITNESSES sign here.

John W. DeVilbiss
Minister of the Gospel

RETURNED the 4 day of March 1882 A true copy of the Original

Recorded this the 4 day of March 1882

By Thad W. Smith Deputy. Sam D. Smith Clerk.

Application for Enrollment of

INFANT CHILD

Eugene Riddle

as a citizen of the

Choctaw Nation.

Approved, SEP 27 1901, 190.

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
SEP 27 1901

Acting Chairman.

CHOCTAW.

5152,

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Eugene Paddleo, (Here insert name of child) born on the 8th day of July, 1902
Name of Father: John Paddleo, a citizen of the Choctaw Nation.
Name of Mother: Melvey Paddleo, a citizen of the United States
Postoffice, Keller, Ard. Ter.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, }
INDIAN TERRITORY. }
Southern District. }

I, Melvey Paddleo, on oath state that I am 20 years of age and a citizen, by ~~by~~ blood, of the United States; that I am the lawful wife of John Paddleo, who is a citizen, by blood, of the Choctaw Nation; that a male (male or female) child was born to me on the 8th day of July, 1902 that said child has been named Eugene Paddleo, and is now living.

WITNESSES TO MARK:

Melvy Paddleo

(Must be Two Witnesses)

Subscribed and sworn to before me this 2nd day of August 1902

W. F. Raines
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, }
INDIAN TERRITORY. }
Southern District. }

I, Laura Neely, a Midwife, on oath state that I attended on Mrs. Melvey Paddleo, wife of John Paddleo, on the 8th day of July, 1902 that there was born to her on said date a male (male or female) child; that said child is now living and is said to have been named Eugene Paddleo.

WITNESSES TO MARK:

Laura C. Neely

(Must be Two Witnesses)

Subscribed and sworn to before me this 3rd day of August 1902

W. F. Raines
NOTARY PUBLIC

DDD

7-5152.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

----o----

In the matter of the application for the enrollment of James I. Paddieo and Eugene Paddieo as citizens by blood of the Choctaw Nation.

--: D E C I S I O N :--

The applicants, James I. Paddieo and Eugene Paddieo, claim their right to enrollment as citizens by blood of the Choctaw Nation through their father John Paddieo. The right of the applicants' father, John Paddieo, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, June 29, 1904, in case No. 31 upon the Tishomingo docket of said court, it is hereby ordered that the application of James I. Paddieo and Eugene Paddieo for enrollment as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Chairman.

Muskogee, Indian Territory,
SEP 10 1904

Muskogee Okla.

COPY

Muskogee, Indian Territory, September 14, 1904.

John Puddick,

Ardmore, Indian Territory,

Dear Sir:

Enclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated September 10, 1904, dismissing the application for the enrollment of James L. Puddick and Eugene Puddick as citizens by blood of the Choctaw Nation.

Respectfully,

SIGNED

Tams Bixby.

Chairman.

Registered.

Encl. 7-6128.

Choctaw 8182

COPY.

Muskogee, Indian Territory, September 12, 1904.

Jesse H. Kill,
Attorney at Law,
Muskogee, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated September 10, 1904, dismissing the application for the enrollment of James I. Paddico and Eugene Paddico as citizens by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

Tams Bixby.

Chairman.

Registered.

Insl. T-8182,

Chapter Nine

COPY.

Muskogee, Indian Territory, September 16, 1904.

Brumfield, Mellette & Grubb,
Attorneys for Choctaw and Chickasaw Indians,
South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission, dated September 15, 1904, dismissing the application for the enrollment of Jesse L. Puddles and Eugene Puddles as citizens by blood of the Choctaw Nation.

Respectfully,

Tams Bixby.

Chairman.

Encl. 3- ELH.

Muskogee, Indian Territory, August 27, 1900

Mr. James Hill,
Attorney at Law,
Muskogee, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of August 23rd, 1900, enclosing application for the enrollment of Eugene Paddies, infant son of John and Malvey Paddies, as a citizen of the Choctaw Nation, and it will be necessary before the same can receive consideration by the Commission, that there be forwarded either the original or certified copy of the marriage license between John and Malvey Paddies, both in the matter of the enrollment of the child for whom this application is made and also in the matter of the enrollment of James I. Paddies. On receipt of the marriage license as requested, the matter will be given further consideration.

Yours truly,

Acting Chairman.

7-8152

Muskogee, Indian Territory, August 16, 1900.

Mr. Joseph Hill,

Attorney at Law,

Muskogee, Indian Territory.

Dear Sir:

On date of August 25, 1900 you transmitted to this office the application for enrollment of Eugene Puddico, infant son of John and Melbey Puddico, born February 5, 1900, receipt of which was acknowledged to you upon August 27, 1900, and you were informed that before the application for the enrollment of this child could receive consideration it would be necessary that either the original marriage license and certificate or a certified copy of the marriage license between John and Melbey Puddico, both in the matter of the enrollment of the child for whom this application was made and in the matter of the application for enrollment of Susan L. Hamilton must be filed with the records of the Commission. You are now informed that neither the marriage license and certificate nor a certified copy thereof has been filed with the records of this office and you are requested to give this matter prompt attention.

Yours truly,

[illegible], Indian Territory, September 27, 1900.

Mr. J. M. Hill,
Attorney at Law,
[illegible], Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Eugene Paddica, the infant son of John and Malvey Paddica, born February 8, 1900, and the same being in proper form has been duly filed with the records of the Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

7-5188.

Acting Chairman.

7-5152.

Muskogee, Indian Territory, October 7, 1902.

M.S. Holman,

Attorney at Law,

Gainesville, Texas.

Dear Sir:

Referring to your letter of the 30th ultimo, wherein you state that Seaborn Padier informs you that he is a citizen by blood of the Choctaw Nation, but has never been enrolled by the Commission; that his father, John Padier, also some of his half-brothers, sons of John Padier, are on the rolls; and you request that you be furnished with the necessary blanks and instructions for his enrollment.

You are informed that blanks for such purpose are not used by the Commission; all applicants for enrollment as citizens by blood of the Choctaw Nation being required to present themselves in person before the Commission for an examination under oath, that a record may be made upon which to determine the right of the applicant to enrollment.

Your attention is called to section thirty-four of the act of Congress approved July 1, 1902, entitled, "An Act To ratify

Substitute

4-5152

E S X S

and confirm an agreement with the Choctaw and Chickasaw tribes of Indians, and for other purposes," which is as follows:

"During the ninety days first following the date of the final ratification of this agreement, the Commission to the Five Civilized Tribes may receive applications for enrollment only of persons whose names are on the tribal rolls, but who have not heretofore been enrolled by said Commission, commonly known as "delinquents", and such intermarried white persons as may have married recognized citizens of the Choctaw and Chickasaw Nations in accordance with the tribal laws, customs and usages on or before the date of the passage of this Act by Congress, and such infant children as may have been born to recognized and enrolled citizens on or before the date of the final ratification of this agreement; but the application of no person whomsoever for enrollment shall be received after the expiration of the said ninety days."

This agreement was ratified by a vote of the citizens of the Choctaw and Chickasaw Nations at a special election held September 25, 1902; and the tribal rolls of the Choctaw Nation now in our possession having been examined, and the name of Seaborn Padier not appearing thereon, this Commission is now without authority to hear or consider the application of Seaborn Padier for enrollment as a citizen by blood of the Choctaw Nation.

Respectfully,

Acting Chairman.

Chic 5153

Morton Chic

No 2 Dismissed Sept 19, 1859

343

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

----o----

Record in the matter of the application for enrollment as a citizen by blood of the Choctaw Nation of:

JOHN L. S. COX 7-5153.

----o----

Chickasaw Court Card C. 198

In the matter of Martha Cox and others.

Martha Cox says:

I was admitted as "Martha Paddieo" .

John L.S. Cox was born May 23d 1897.

I was married to Melton Cox, in May 1886.

I came to the Territory in May 1898.

Ardmore, Sept. 23 1898.

Martha Cox
John L.S. Cox

enrolled.

Dold

7-5153.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

----o----

In the matter of the application for the enrollment of John L. S. Cox as a citizen by blood of the Choctaw Nation.

--: D E C I S I O N :--

The applicant, John L. S. Cox, claims his right to enrollment as a citizen by blood of the Choctaw Nation through his mother Martha Cox. The right of the applicant's mother, Martha Cox, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, June 29, 1904, in case No. 31 upon the Tishomingo docket of said court, it is hereby ordered that the application of John L. S. Cox for enrollment as a citizen by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Chairman.

Muskogee, Indian Territory,

SEP 10 1904

[redacted]

COPY.

[redacted], Indian Territory, September 12, 1904.

Martin Cox,

Ardmore, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated September 10, 1904, dismissing the application for the enrollment of John L. S. Cox, as a citizen by blood of the Choctaw Nation.

Respectfully,

[redacted]

Tams Bixby

Chairman.

Registered.

Inc. 7-[redacted].

Choctaw 5153

COPY.

Muskogee, Indian Territory, September 12, 1904.

Mansfield, McMurray & Cornish,
Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission, dated September 10, 1904, dismissing the application for the enrollment of John L. S. Cox, as a citizen by blood of the Choctaw Nation.

Respectfully,

SIGNED
Tams Bixby.
Chairman.

Ind. T-5153.

Choc 5154 James Paddies

Nov 2-3 Dismissed

5154

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

----o----

Record in the matter of the application for enrollment as citizens by blood of the Choctaw Nation of:

EVA PADDIEO, et al., 7-5154.

----o----

Choctaw Court Card C. 199

IN RE application of James Paddieo. and others.

Commissioner McKenno:

James Paddieo says:

Eva was born Jan. 15th 1898 .

I came to the Territory May 20th 1898.

Ardmore, Sept. 23 1898.

James Paddieo
Eva Paddieo

enrolled.

No. 1—Certificate of Town Court of Record—Clean Cut. Maverick-Clarke Litho. Co., Stationers, Printers, San Antonio.

THE STATE OF TEXAS,
County of Bexar } I, Frank McNeuton Clerk
of the County Court of Bexar County, Texas, do hereby certify that
the foregoing is a true and correct copy of the original Marriage License between
James Padillar and Martha Patten
as the same appears of record in my office in book G page 432.
Given Under my Hand and the seal of said Court, at office in San Antonio Texas
this 30 day of January 1900
Frank McNeuton Clerk.
By John Rappenecker Deputy

[redacted]

Marriage License

And

Recorded in Marriage Record,
Book ____
Page ____
____ Clerk.
By ____ Deputy.

The State of Texas

COUNTY OF BEXAR

To any Regular Licensed or Ordained Minister of the Gospel, Jewish Rabbi, Judge of the District Court, Judge of the County Court, or Justice of the Peace:

You, or either of you, are hereby authorized to solemnize or join in the

HOLY UNION OF MATRIMONY

James Padilla and Martha Tatum

in accordance with the laws of this State, and that you make due return of this, your authority, to my office, in sixty days from date hereof, certifying how you have executed the same.

Given under my hand and the seal of the County Court of Bexar County, this 30th *day of* June *1882.*

(Seal)

Sam S. Smith
County Clerk, Bexar County.

By Thad H. Smith
Deputy.

The foregoing License executed by me, joining the within named parties in the

HOLY UNION OF MATRIMONY

this the 6th *day of* July *1882*

P. A. Padier
Mary A. Sterling
~~Fannie Dondanger~~
} Witnesses.

F. De Hymel J. P.
Ex Officio N. P. Bex. Co. Texas

RETURNED the 10th *day of* July *1882* *A true Copy of the original*

Recorded this the 10th *day of* July *1882*

By Thad H. Smith Deputy.

Sam S. Smith Clerk.

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of Josie Padier, born on the 1st day of Feb., 1899.

Name of father: Jim Padier, a citizen of the Choctaw Nation.

Name of mother: Marthie Padier, a citizen of the Choctaw Nation.

Post Office: Keller I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District.

I, Marthie Padier, on oath, state that I am 28 years of age and a citizen, by Law, of the Choctaw Nation; that I am the lawful wife of Jim Padier who is a citizen, by Blood, of the Choctaw Nation; that a Girl child was born to me on the first day of Feb., 1899; that said child has been named Josie, and is now living.

her
Marthie × Padier
mark

Subscribed and sworn to before me this 16th day of Sept., 1899.

A. B. Davis
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District.

I, Evaline Padier, a Midwife, on oath, state that I attended on Mrs. Marthie Padier, wife of Jim Padier on the 1st day of Feb, 1899; that there was born to her on said date a Girl child; that said child is now living and is said to have been named Josie.

her
Evaline × Padier
mark

Subscribed and sworn to before me this 16th day of Sept., 1899.

A. B. Davis
Notary Public.

Bbd

7-5154.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

----o----

In the matter of the application for the enrollment of Eva Paddieo and Josie Paddieo as citizens by blood of the Choctaw Nation.

--: D E C I S I O N :--

The applicants, Eva Paddieo and Josie Paddieo, claim their right to enrollment as citizens by blood of the Choctaw Nation through their father James Paddieo. The right of the applicants' father, James Paddieo, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, June 29, 1904, in case No. 31 upon the Tishomingo docket of said court, it is hereby ordered that the application of Eva Paddieo and Josie Paddieo for enrollment as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Chairman.

Muskogee, Indian Territory,

SEP 10 1904

[illegible]5134

COPY)

Muskogee, Indian Territory, September 12, 1904.

[illegible] Paddice,

Ardmore, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated September 10, 1904, dismissing the application for the enrollment of Eva Paddice and Jessie Paddice, as citizens by blood of the Choctaw Nation.

Respectfully,

SIGNED

Tams Bixby.

Chairman.

Registered.

Inc. 7-5134.

COPY.

Muskogee, Indian Territory, September 12, 1904.

Somerfield, Mellette & Campbell,
Attorneys for the Freedmen and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission, dated September 10, 1904, dismissing the application for the enrollment of Eva Paddleo and Josie Paddleo, as citizens by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

James Bixby.
Chairman.

Inc.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory,

To

Receipt is hereby acknowledged of birth certificate in the matter of the application for enrollment of

of and

as a citizen of the Nation, and the same has been duly filed.

Very respectfully,

Acting Chairman.

Chas. 5155 Frank C. [illegible]

5-7-9 Dismissed [illegible]

5155

DEPARTMENT OF THE INTER OR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

----o----

Record in the matter of the application for enrollment as citizens by blood of the Choctaw Nation of:

BESSIE MAY JONES, et al., 7-5155.

----o----

To the Commission from the United States to the five civilized tribes of Indians:

Application of F. C. Jones to have his minor daughter, Bessie May Jones, enrolled as a member of the Choctaw Tribes of Indians.

The applicant herein would most respectfully represent that he, with the other members of his family, made application to this honorable Commission prior to September 10, 1896, to be enrolled as members of the Choctaw Tribe of Indians; that said application was by said Commission denied and was appealed to the United States Court for the Southern District of the Indian Territory, and that that court rendered a judgment establishing the citizenship of the said Jones and other applicants in said application and ordering that the same be enrolled as members of the Choctaw Tribe of Indians.

Now, he would most respectfully represent and show that since the filing of the said application with the Commission from the United States to the five civilized Tribes; that there has been born unto him a daughter whose name is Bessie May Jones; that a certified copy of the judgment of the said United States Court for the Southern District of the Indian Territory is hereto annexed, marked "E x h i b i t A" and made a part of this application.

Wherefore, he prays that the said Bessie May Jones be enrolled as a member of the Choctaw Tribe of Indians by this honorable Commission.

Furman Herbert Hee
Attorneys for applicant.

F. C. Jones, being by me first duly sworn, on oath states: that he is the father of Bessie May Jones and was one of the

applicants in the application of Robert Gains, et. al., vs. The Choctaw Nation; and that the statements set forth in the foregoing application are true.

F. C. Jones

Subscribed and sworn to before me this the 3rd day of January, 1898.

A. Adamson

Notary Public, Southern District,
Indian Territory.

Robert Goins, et. al.,.
vs. No. 127.
The Choctaw Nation.

Judgment December 21, 1897.

At this time came on to be heard the report of the Master in Chancery, filed herein June 23, 1897, and at the same time came the applicants by their attorneys; and it appearing to the court that the applicants herein through their attorneys have excepted to the report of said Master in Chancery, wherein he recommends that those of the applicants ~~of the Nations~~ who are non-residents of the Indian Territory, be denied the right to have their names enrolled as members of the Tribe of Choctaw Indians; and the court, after hearing said exceptions and being fully advised in the premises, is of the opinion that said exceptions ~~ought~~ to be and the same are hereby sustained; and it appearing to the court from the report of said Master ~~in Chancery~~ and from the evidence filed herein, that all of the applicants are members of the Tribe of Choctaw Indians.

It is therefore considered, adjudged and decreed by the court that Robert Goins and his wife, Elizabeth Goins; and Seaborn Goins, Calvin Goins, Caroline Goins, John Goins, Elizabeth Goins, Minerva Goins, Wm. Henry Goins and Samantha Goins, the children ~~of~~ of Henry Goins, deceased; and James Goins and his children, James Goins, Jr., and Randolph Goins, and Lizzie Goins; and Raborn Goins, and children Thomas L. Goins, Wm. Goins, Collin Goins, Eli Goins, Rayborn Goins, Canpbell Goins, Martha Margaret Goins, Missouri E. Goins, Amanda May Goins, and and Dinky Goins; and Reuben Goins and children, Mary Goins and Cordelia Goins; and Jeremiah Goins, Jr., and children Monroe Goins, Wm. Goins, Frank Goins, and Leonard Goins; and Mrs.

Evaline Paddico and her children, Reuben Paddico, Tasso Paddico John Paddico, Evaline Paddico, Martha Paddico, James Paddico and Amanda Paddico; and the children of Caroline Morris, whose maiden name was Caroline Goins, to-wit: Jerry M. Morris, G. W. Morris, Spencer W. Morris, Jr., Sarah Morris and Kansas Morris; and Mrs. Emily Perrice and G. W. Nevels, her son by her first husband, Wm. Nevels, and her children by her second husband, Antonio Perrice, to-wit: Ike Perrice, Josephine Perrice, Mary Perrice, Anna Perrice, Alzona Perrice and Caroline Perrice; and Mrs. Mary Southward, and her husband, W.C.Southward and their children, Wm. M. Southward, Elizabeth Southward, John F. Southward, James Marion South-Ward, Jessie Myrtle Southward, and Maggie May Southward; and the children of Sallie Goins, who married J. M. Gardner, viz: James Melton Gardner, Margaret Eugene Gardner, Manda Eldora Gardner and Cora Lee Gardner, and the said J. M. Gardner; and the children of J. M. Morris, who was a son of Caroline Morris, vi-z: Ebinezer S. Morris, Gertrude E. Morris, Joel W. Morris, Jessie Coleman Morris and Augusta B. Morris; and the children of G. W. Morris, viz: Elizabeth Wilmuth Morris, Nora Lee Morris, Mollie Morris, Cora May Morris and Kansas Viola Morris; and the children of Sallie Morris, who married Frank C. Jones, viz: Frank C. Jones James Jesse Jones and Gypsie Jones, and the said Frank C. Jones; and the children of Josephine Marjories, who was a daughter of the said Emily Perrice, viz: Ignatie Marjories, Susie Marjories and Rosalia Marjories; and the children of Ike Perrice, who was a son of Emily Perrice, viz: Joe Perrice and Ignatia Perrice, Jr., and the children of Mary Dias, who was a daughter of Emily Perrice, to-wit: Eugene Dias and Albert Dias andthe children of Anna Andreda, a daughter of Emily Perrice, to-wit: Clara Andreda and Christoval Andreda; and the grandchildren of Jeremiah Goins, to-wit: Mrs. Josephine Priest, and

her children by her former husband, viz; Adella Taylor, Pearline Taylor, Anna Taylor, Wm. Martin Taylor, Josephine Taylor and Clara Taylor are all members of the Choctaw Tribe of ~~Indians~~ Indians and as such are entitled to have their names enrolled as members of said Tribe of Choctaw Indians by blood, except as to the said W. C. Southward, who is a member of said Tribe by intermarriage, and Elizabeth Goins, the wife of Robert Goins, who is a member of said tribe by intermarriage.

It is further considered, adjudged and decreed by the court~~that~~ that the Choctaw Nation, the defendant, pay all costs in this behalf expended and incurred for which execution may issue

It is further considered, adjudged and decreed by the court that the Clerk of this court certify this judgment to the Commission of the United States to the five civilized tribes of Indians for its observance. To which judgment of the court the defendant, the Choctaw Nation, in open court duly excepted.

_____

J u d g e.

IN THE UNITED STATES COURT IN THE INDIAN TERRITORY.

SOUTHERN DISTRICT AT ARDMORE.

I, C. M. Campbell, Clerk of the United States Court for the Southern District of the Indian Territory, do hereby certify the above and foregoing to be a true, perfect and literal copy of the judgment of the court in the cause of Robert Coins, et. al., vs. The Choctaw Nation, No. 827, made and entered on the journal of said Court on the 21 day of December, 1897.

In Testimony whereof, I have hereunto set my hand and the seal of said court at Ardmore, in said Territory, this the 8 day of January, 1898.

C M Campbell

Clerk.

United States Court Southern District,
Indian Territory.

Indian Territory,
Southern District.

Before me, the undersigned authority, on this day personally appeared F. C. Jones, who after being by me first duly sworn, on oath states: That he is one of the applicants in the case of Robert Goins, et. al., vs. The Choctaw Nation; that his wife, Sallie J. Jones, was also one of the applicants in said application; that the same was denied by the Commission from the United States to the five civilized Tribes of Indians, but was appealed to the United States Court for the Indian Territory; that that court rendered a judgment establishing the rights of all the applicants therein as members of the Tribe of Choctaw Tribe of Indians and ordering their enrollment; that since the filing of said application there has been born unto, him a daughter, Annie May Jones, who was born on the 10 day of February, 1897,; that she is still living and now resides in the Indian Territory, near Center, in the Chickasaw Nation.

F. C. Jones
mark

Subscribed and sworn to before me this the 3rd day of January, 1898.

A. Caldwell

Notary Public, Southern District,
Indian Territory.

REGISTRY RECEIPT.

Post Office at Ardmore I T

Registered Letter / Parcel No. 145 Rec'd 1-25 1898

of Durman & Robert

addressed to Gov Green McCurtain

Tushkahoma I T

Wm Leeds P. M.

Indian Te

Southern

this day

first duly sworn, on oath ... neys for the applicant herein and that he has this day registered a letter at the Post-Office at Ardmore, Indian Territory, to Green McCurtain, governor of the Choctaw Tribe of Indians, at Tushka Homma, Indian Territory, and attaches hereto the registry receipt ~~xxxxxx~~ received for said letter, marks the same "Exhibit A" and makes it a part hereof; that said letter contains a true and literal copy of the application herein, of a true and literal copy of a certified copy of the Judgment of the United States Court for the Southern District of the Indian Territory, in the case of Robert Coins, et. al., vs. The Choctaw Nation, and a true and literal copy of an affidavit of F. C. Jones.

Durman & Robert

Subscribed and sworn to before me this the 25 day of January, 1898.

A Addeman

Notary Public, Southern District,

Indian Territory.

Indian Territory,
Southern District.

Before me, the undersigned authority on this day personally appeared Jesse Hill, who, after being by me first duly sworn, on oath stated: that he is one of the attorneys for the applicant herein and that he has this day registered a letter at the Post-Office at Ardmore, Indian Territory, & to Green McCurtain, governor of the Choctaw Tribe of Indians, & at Tushka Homma, Indian Territory, and attaches hereto the registry receipt ~~xxxxxxx~~ received for said letter, marks the same "Exhibit A" and makes it a part hereof; that said letter contains a true and literal copy of the application herein, & a true and literal copy of a certified copy of the Judgment of the United States Court for the SouthernDistrict of the Indian Territory, in the case of Robert Goins, et. al., vs. The Choctaw Nation, and a true and literal copy of an affidavit of F. C. Jones.

Jesse Hill

Subscribed and sworn to before me this the 25 day of January, 1898.

A. Addeman

Notary Public, Southern District,
Indian Territory.

IN RE

Application for Enrollment of

INFANT CHILD

Bessie May James

as a citizen of the

Choctaw Nation.

Approved, AUG 22 1900 190

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
AUG 22 1900

ACTING CHAIRMAN.

CHOCTAW.

5155 8/20/1900

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Bessie May Jones (Here insert name of child.) born on the 9 day of Feby, 1897
Name of Father: Frank C. Jones, a citizen of the Choctaw Nation.
Name of Mother: Sarah J. Jones, a citizen of the Choctaw Nation.
Postoffice, Center Dr.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY.
Southern District.

I, Sarah J. Jones, on oath state that I am 32 years of age and a citizen by Blood, of the Choctaw Nation; that I am the lawful wife of Frank C. Jones, who is a citizen, by Marriage of the Choctaw Nation; that a Female (male or female) child was born to me on the 9 day of Feby 1897, that said child has been named Bessie May Jones, and is now living.

WITNESSES TO MARK:

(Must be Two Witnesses.)

Sarah J. Jones

Subscribed and sworn to before me this 14 day of Aug 190 0

D. M. Bryan NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY.
Southern District.

I, Malissie A Barnes, a Midwife, on oath state that I attended on Mrs. Sarah J Jones, wife of Frank C Jones, on the 9 day of Feby, 1897; that there was born to her on said date a Female (male or female) child; that said child is now living and is said to have been named Bessie May Jones

WITNESSES TO MARK:

(Must be Two Witnesses.)

R C Barnes
J J Copeland

Malissie A Jones

Subscribed and sworn to before me this 14 day of Aug 190 0

D. M. Bryan NOTARY PUBLIC

CHOCTAW. 20.

INDEXED

IN RE.

Application for Enrolement of

INFANT CHILD.

Buel Bradford Jones,

as a citerzan of the

Choctaw Nation.

Approved SEP 22 1902 1902

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
SEP 22 1902

ACTING CHAIRMAN.

CHOCTAW.

5155

DEPARTMENT OF THE INTERIOR.
Commissone to theFive civilezed Tribes.

IN RE Application for the Enrolement , as a citezan of the CHACTOW, Nation, of Buel Bradford Jones, Born on the the I4th day of August I902,

Nane of Father, Frank C Jones a citezan of the Chactaw nation by marriage,

Name of Mother, Sarah J Jones aciterzan of the Choctaw Nation,

Post Office, Ada Indian Territory.

United States of America,
Indian Territory.
Southern District.

I Sarah J Jones on oath states that I an 34 years of age and a citezan by Blood of the ~~Chickasaw~~ Chactaw Nation that I an the lawful wife of Frank C Jones, who is a citerzan by marriage of the ~~Chickasaw~~ Chactaw Nation that a nale Child was born to me on the I4 th day of August I902. that said child has been named Buel Bradford Jones, and is now living,

Sarah J Jones

Sudscribed and sworen to before me this th I2th day of August I902.

Blehiny
Notary Pudlic.

United States of America,
Indian Territoey,

Southern District,

I , W. T. Nolen a phisitian on oath states that I attended on Mrs ~~Wifeof. Frank~~ Sarah J Jones on the I4th day of August I902. that thare was born to her on said day a male child that the said child is now living and is saie to have been named Buel Bradford Jones,

W T Nolen

Subcaribed and sworen to before me this the I2th day of Sept I902.

Blehiny
Notary Pudlic.

20

IN RE

Application for Enrollment of

INFANT CHILD

Flora Leora Jones

as a citizen of the

Choctaw Nation.

Approved, AUG 22 1900 190

Commissioner.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
AUG 22 1900

CHOCTAW.

5155.

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Flora Leona Jones (Here insert name of child), born on the 23rd day of Dec, 1899
Name of Father: Frank C. Jones, a citizen of the Choctaw Nation.
Name of Mother: Sarah J. Jones, a citizen of the Choctaw Nation.
Postoffice, Centrahoma I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY.
Southern District.

I, Sarah J. Jones, on oath state that I am 32 years of age and a citizen, by blood, of the Choctaw Nation; that I am the lawful wife of Frank C. Jones, who is a citizen, by Marriage, of the Choctaw Nation; that a female (male or female) child was born to me on the 23rd day of Dec, 1899; that said child has been named Flora Leona Jones, and is now living.

Sarah J Jones

WITNESSES TO MARK:
(Must Be Two Witnesses) W.C. Conlin

Subscribed and sworn to before me this 14 day of Aug, 1900

D McKinney
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY.
Southern District.

I, Permita Lexton, a Midwife, on oath state that I attended on Mrs. Sarah J. Jones, wife of Frank C Jones, on the 23rd day of Dec, 1899; that there was born to her on said date a female (male or female) child; that said child is now living and is said to have been named Flora Leona Jones, her Permita + Lexton mark

WITNESSES TO MARK:
(Must Be Two Witnesses) G.C. Cooper
W.C. Conlin

Subscribed and sworn to before me this 14 day of Aug, 1900

D McKinney
NOTARY PUBLIC

Mch

7-5155.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Bessie May Jones, Buel Bradford Jones and Flora Leona Jones as citizens by blood of the Choctaw Nation.

--: D E C I S I O N :--

The applicants, Bessie May Jones, Buel Bradford Jones and Flora Leona Jones, claim their right to enrollment as citizens by blood of the Choctaw Nation through their mother, Sarah J. Jones. The right of the applicants' mother, Sarah J. Jones, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, June 29, 1904, in case No. 31 upon the Tishomingo docket of said court, it is hereby ordered that the application of Bessie May Jones, Buel Bradford Jones and Flora Leona Jones for enrollment as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Muskogee, Indian Territory,

SEP 10 1904

[illegible]

COPY.

[illegible], Indian Territory, September 10, 1904.

Frank G. Jones,

[illegible], Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated September 10, 1904, dismissing the application for the enrollment of Bessie May Jones, Buel Bradford Jones and Flora Leona Jones, as citizens by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

Tams Bixby.

Chairman.

[illegible]

Inds. T-2158.

Choctaw 5155

COPY.

Muskogee, Indian Territory, September [redacted], 1904.

King & King,

Attorneys at Law,

Ada, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated September 10, 1904, dismissing the application for the enrollment of Bessie May Jess, Buel Bradford Jones and Flora Leona Jones as citizens by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

Tams Bixby.

Chairman.

Registered.

Enc. 7-5155

Choctaw 5155

COPY.

Muskogee, Indian Territory, September 12, 1904.

Mansfield, McMurray & Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission, dated September 10, 1904, dismissing the application for the enrollment of Bessie May Jones, Buel Bradford Jones, and Flora Leona Jones, as citizens by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

Tams Bixby.

Chairman.

Inc. T-5155

T-0188.

Muskogee, Indian Territory, September 22, 1902.

King & King,

Attorneys at Law,

Ada, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of the 19th inst., enclosing corrected application for enrollment as a citizen of the Choctaw Nation of Buel Bradford Jones, infant son of Frank G. and Sarah J. Jones, born August 14, 1902; and the same now being in proper form has been duly filed with the records of the Commission, and the child listed for enrollment as a citizen of the Choctaw Nation.

Respectfully,

Acting Chairman.

T-2158.

Muskogee, Indian Territory, September 18, 1902.

King & King,

Attorneys at Law,

Ada, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of the 12th inst., enclosing the application for enrollment as a citizen of the Choctaw Nation of Hazel Blandford Jones, infant son of Frank G. and Ruth J. Jones, born August 14, 1902; and the same is returned to you herewith, for the reason that the affidavit of the mother states that she is a citizen by blood of the Chickasaw Nation, whereas it appears from our records that she is listed for enrollment as a citizen of the Choctaw Nation.

Upon receipt of an application for the enrollment of this child as a citizen of the Choctaw Nation, with the affidavit of the mother properly executed, the matter will receive further consideration.

Yours truly,

Enc. S.L. No.

Acting Chairman.

[redacted]

[redacted]

Dear Sir:

The Commission is in receipt of the applications for enrollment as citizens of the Choctaw Nation of [redacted] Jones, born Feby. 9, 1897, and Viola Leona Jones, born Dec. 23d, 1899, the infant children of Frank C. and Sarah J. Jones, and the same being in proper form have been duly filed with the records of the Commission.

Yours truly,

Acting Chairman.

7-8155.

W.O.B.

COMMISSIONERS
TAMS BIXBY,
THOMAS B. NEEDLES,
C. H. BRECKINRIDGE.

WM. O. BEALL,
Secretary

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING
Choctaw-5155

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, September 12, 1904

Frank C. Jones,

Center, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated September 10, 1904, dismissing the application for the enrollment of Bessie May Jones, Buel Bradford Jones and Flora Leona Jones, as citizens by blood of the Choctaw Nation.

Respectfully,

Chairman.

Registered.

Inc. 7-5155.

Che Sick Naval Hosp
No 2 Diseased Hybody

See Che # D-580

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

----o----

Record in the matter of the application for enrollment as a citizen by blood of the Choctaw Nation of:

GENERAL JACKSON HINKLE 7-5156.

----o----

CHOCTAW. INDEXED

IN RE

Application for Enrollment of

INFANT CHILD

Emma Jackson Hinds

as a citizen of

Choctaw Nation.

Approved JUL 2 1901 190

C. R. Breckinridge.

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
JUL 2 1901

ACTING CHAIRMAN.

CHOCTAW.

5156

BIRTH AFFIDAVIT. 20 (1)

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of Gruvat Jackson Hinkle, born on the 3rd day of June, 1901.
(Here insert name of child)

Name of Father: Geo. W. Hinkle, a citizen of the Choctaw by marriage Nation.

Name of Mother: Kansas E. Hinkle, a citizen of the Choctaw Nation.

Post-office, Ada I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, }
INDIAN TERRITORY, }
Southern District. }

I, Kansas E. Hinkle, on oath state that I am 25 years of age and a citizen, by blood, of the Choctaw Nation; that I am the lawful wife of Geo. W Hinkle, who is a citizen, by marriage, of the Choctaw Nation, that a male child was
(male or female.)
born to me on the 3rd day of June, 1901; that said child has been named Gruvat Jackson Hinkle, and is now living.

Kansas E Hinkle

WITNESSES TO MARK
(Must be Two Witnesses) } J W Francis

Subscribed and sworn to before me this 27th *day of* June, *1901.*

J M King
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, }
INDIAN TERRITORY, }
Southern District. }

I, Elijah Chandler, a Midwife, on oath state that I attended on Mrs. Kansas E Hinkle, wife of Geo. W Hinkle, on the 3 day of June, 1901; that there was born to her on said date a male child; that said child is now living and is said to have been
(male or female.)
named Gruvat Jackson

Elijah his X Chandler mark

WITNESSES TO MARK:
(Must be Two Witnesses) } J. H. Calhun
J W F. Francis

Subscribed and sworn to before me this 27th *day of* June, *1901.*

J M King
NOTARY PUBLIC

1662

7-5156.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

----o----

In the matter of the application for the enrollment of General Jackson Hinkle as a citizen by blood of the Choctaw Nation.

--: D E C I S I O N :--

The applicant, General Jackson Hinkle, claims his right to enrollment as a citizen by blood of the Choctaw Nation through his mother Kansas Morris. The right of the applicant's mother, Kansas Morris, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, June 29, 1904, in case No. 31 upon the Tishomingo docket of said court, it is hereby ordered that the application of General Jackson Hinkle for enrollment as a citizen by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Chairman.

Muskogee, Indian Territory,

SEP 10 1904

[redacted]

COPY

[redacted]

[redacted]

[redacted]

[redacted]

Dear Sirs:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated September 10, 1904, dismissing the application for the enrollment of General Jackson Hinkle, as a citizen by blood of the Choctaw Nation.

Respectfully,

SECRETARY

Tams Bixby.

Chairman.

[redacted]

[redacted]

[illegible]

COPY.

[illegible] Indian Territory, September 12, 1904.

[illegible],
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission, dated September 10, 1904, dismissing the application for enrollment of General Jackson Kindle, as a citizen by blood of the Choctaw Nation.

Respectfully,

DESIGNED

Tams Bixby.

Chairman.

Enc. 7-C1-Ch.

Muskogee, Indian Territory, [illegible] 6, 1902.

Mr. George W. Hinkle,

Ada, Indian Territory.

Dear Sir:

The Commission is in receipt of an application for enrollment as a citizen of the Choctaw Nation of Osmond Jackson Hinkle, the infant son of George W. and Kansas K. Hinkle, born June 3, 1901, and the same being in proper form has been duly filed with the records of the Commission and the child listed for enrollment as a citizen of the Choctaw nation.

You are informed that the records of the Commission show that the given name of your wife is Kansas and that she was admitted by the United States court in 1897 as Kansas Norris. The records of the Commission further show that her name appears spelled in a like manner in your marriage license filed with the Commission on July 30, 1900. You are requested to inform the Commission why she now signs her name Kansas K.

Please give this matter prompt attention.

Yours truly,

[illegible] Commissioner in Charge.

Muskogee, Indian Territory, July 26, 1901.

Mr. George W. Hinkle,

Ada, Ind, Ter.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 20th instant, stating that application was made for the enrollment of your wife as Kansas Morris, while in fact her name was Kansas E. [redacted]ris, and that her present name is Kansas E. Hinkle.

You are informed that your letter has been duly filed with the records of the Commission.

Yours truly,

7-5156

Commissioner in Charge.

Commissioners,
Choctaw-Chickasaw,
Chickasaw-Nation.

Muskogee, Indian Territory, June 23, 1904.

J. M. Perry,

Ada, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of June 16th, in which you ask the status of the following persons: Thomas St. John, J. W. Broom, Mrs. George Hinkle, and John D. Stuart.

In reply to your letter, you are informed that it appears from our records that on July 20, 1903 the Commission rendered its decision granting the application of John D. Stewart for the enrollment of himself and his children as citizens by blood of the Chickasaw Nation and the attorneys for the Nations were allowed fifteen days within which to protest to this action of the Commission. On July 29, 1903 the protest of the attorneys for the Choctaw and Chickasaw Nation to the action of the Commission in granting this application was filed and on August 7, 1903 the record in this case together with the decision of the Commission and the protest of the attorneys for the Choctaw and Chickasaw Nations was forwarded the Secretary of the Interior. The Commission has not yet been notified of Departmental action in this case. It further appears from our records that Kansas Morris, now the wife of G. W. Hinkle, was

J. W. Brooms,

admitted to citizenship in the Choctaw Nation by a judgment of the United States Court for the Southern District of the Indian Territory rendered at Ardmore, Indian Territory, December 23, 1897 in court case, citizenship docket, number 127 and that her case is now pending before the Choctaw and Chickasaw Citizenship Court being case number 31 on the Tishomingo Docket. For information relative thereto, you should address the Clerk of that Court at Tishomingo, Indian Territory.

The Commission has not yet passed upon the application of Thomas St. John for enrollment as an intermarried citizen of the Chickasaw Nation; as soon as a decision is reached in this case, he will be notified of the action taken therein.

You are further advised that the information contained in your letter is not sufficient to enable us to identify J. W. Brooms upon our records as an applicant for enrollment in the Choctaw or Chickasaw Nation. If you will state when, and where application was made for his enrollment, his full name and age, the names of his parents, the character of the application made and any other information, which would lead to his identification, the matter of your inquiry will receive further consideration.

Respectfully,

Commissioner in Charge.

Choctaw Court Card C. 201

Application of Kansas Morris.

Witness.

Frank C. Jones says:

Kansas Morris is sister of my wife.

She came to the Territory 3 years ago and has been living here ever since.

Ardmore, Sept. 21 1898.

Kansas Morris

enrolled.

5157

...w Court Card C. 262

...n of Margaret L. Wheat.

...mo

...J.M.Gardner says:

Margaret L. Wheat was admitted as "Margaret Lugenia Gaddner".

She married Victor Wheat June 1st 1898.

She has been living in the Territoey all her life.

Margaret L . Wheat Ardmore. Sept. 23 1898.

enrolled.

Choctaw 5158.

Muskogee, Indian Territory, March 14,1903.

J. M. Boatwright,

Coulson, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of March 8, asking if Parry Parks, and George and Ralph Parks are on the rolls.

In reply to your letter you are advised that it appears from our records that Perry, George W. and Relbu Parks were admitted to citizenship in the Choctaw Nation by a judgment of the United States Court for the Southern District of the Indian Territory, rendered at Ardmore, Indian Territory, January 20, 1898, in court case Number 133. On December 17, 1902, the "Choctaw-Chickasaw Citizenship Court", created under the act of Congress of July 1, 1902, which was ratified by the Choctaw and Chickasaw Nations on September 25, 1902, vacated and set aside all judgments of the United States Courts in Indian Territory, admitting persons to citizenship in the Choctaw and Chickasaw Nations.

Respectfully,

Chairman.

L2732-1909

Muskogee, Oklahoma, June 8, 1909.

J. T. Guest,

Box 97, Comanche, Oklahoma,

Sir:

Your letter of April 26, 1909, addressed to the Secretary of the Interior, has been by him referred to this office for reply. Therein you inquire concerning the status of the claim of Mrs. Nancy Parks, wife of I. N. Parks, a Court claimant.

In reply you are advised that this office is unable to identify a Nancy Parks, wife of I. N. Parks, as an applicant for enrollment in the Choctaw or Chickasaw Nation. One Nancy Parks, wife of K. C. Parks, was admitted to citizenship in the Choctaw Nation, together with her husband and six children, by the United States Court for the Southern District of the Indian Territory but these [redacted] subsequently denied by the Choctaw and Chickasaw Citizenship Court and it does not appear from the records of this office that any subsequent action has been taken in this case.

In this connection you are advised that the rolls of citizenship of the Choctaw and Chickasaw Nations were closed [redacted] March 4, 1907, and this office is now without authority to receive or entertain the application of any person for citizenship

F. L. S.

in any of said tribes.

Since the date above named there has been no subsequent legislation relative to citizenship the Five Civilized Tribes nor have I any information as to the probable reopening of the rolls in the future.

Respectfully,

Acting Commissioner.

AB

Chectaw Court Card C. 263

Application of K.C.Parks and others.

For McKenne

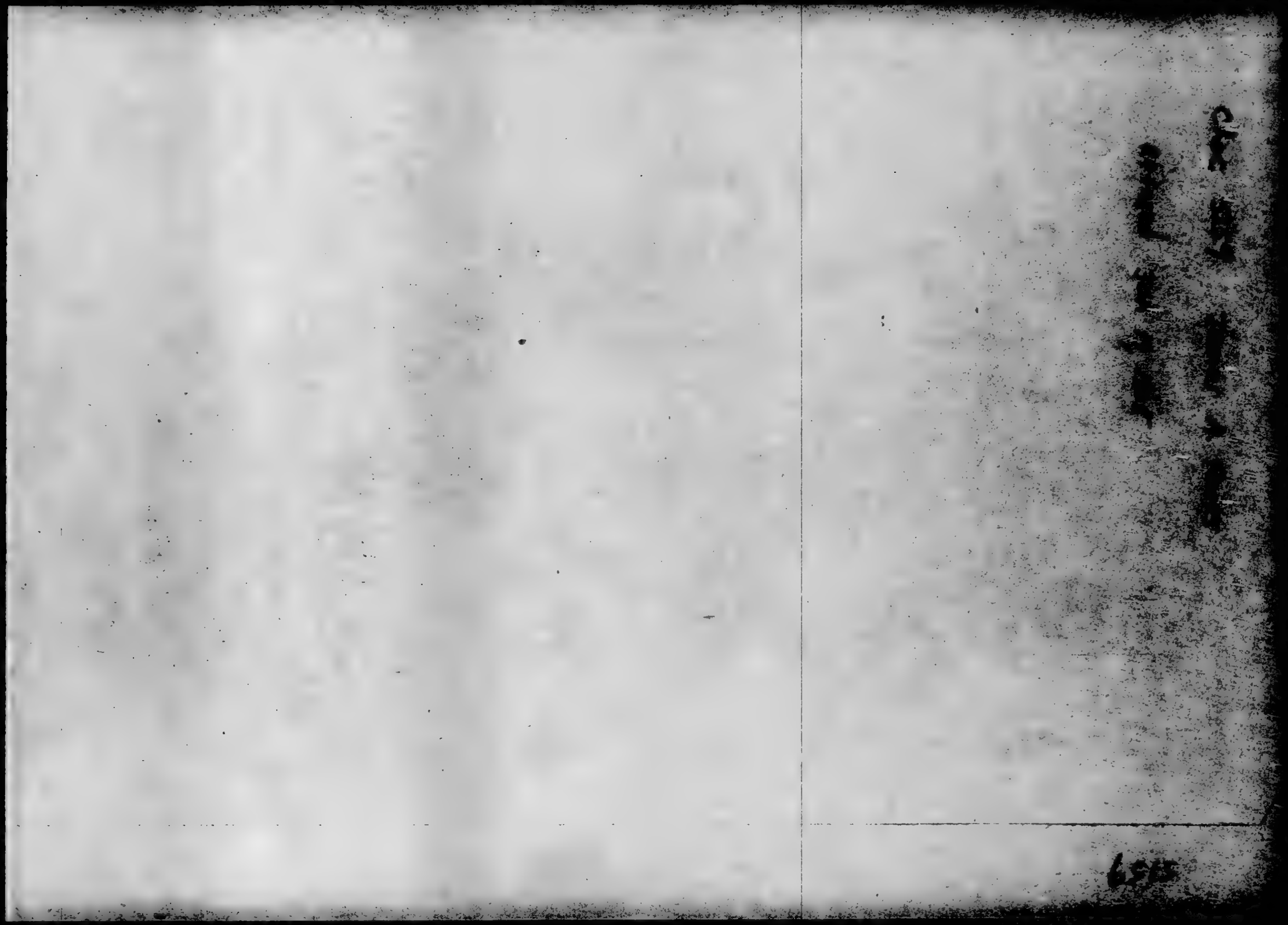
K.C.Parks says:

I have been living continuously in the Chickasaw Nation 21 years.

Ardmore, Sept. 28 1898.

K.C.Parks
Nancy Parks
Perry Parks
George Parks
Relbu Parks
Spencer L. Parks
Joe Parks

enrolled.



Chootaw Orig. Case C. 204

In Re application of James A. Parks and others.

Sworn by Commissioner McKennon:

James A. Parks says:

I have lived continuously in the Chickasaw Nation for 3 years.

William R. Parks was born January 6th 1897.

Luther I. was born June 15th 1898.

Ardmore, Sept. 23 1898.

James A. Parks
William R. Parks
Luther I. Parks

Enrolled.

[illegible] Five Civilized Tribes.

[illegible] Indian Territory.

In the matter of the [illegible] A. Park as a Chickasaw; being sworn and examined by Com'r McKennon he testifies as follows:

Q What is your name? A James A. Park.

Q How old are you? A Thirty-six.

Q Where are you living? A In the Chickasaw Nation.

Q How long have you been living there? A About six years.

Q Where did you come from? A Texas; I was born there and principally raised there; I have been here off and on for twenty years.

Q You are not on the rolls? A No sir.

Q Your parents are not on the rolls? A No sir., I have two brothers that are on the rolls.

Com'r McKennon; We have no authority to enroll you, and your enrollment is refused.

Department of the Interior,
Commission to the Five Civilized Tribes.

I hereby certify upon my official oath as stenographer to above named Commission, that this transcript is a true, full and correct translation of my stenographic notes.

M D Green

J-A-91

Department of the Interior,
Commission to the Five Civilized Tribes,
Muldrow, I.T., June 18, 1896.

In the matter of the application of James A. Parks for the enrollment of himself and five children as Choctaws by blood; being sworn and examined by Acting Chairman Bixby, he testified as follows:

Q What is your name? A James A. Parks.
Q How old are you? A I am 37.
Q What is your post office address? A Leon, I. T.
Q How long have you lived in the Indian Territory? A I have lived here continuously for 7 years last May.
Q Have you been living in the Territory all the time for the past three years? A Yes, sir, for the past 7 years.
Q Where did you live before you came to the Indian Territory? A In Texas.
Q Where were you born, in Texas? A Yes, sir.
Q What is the name of your father? A William Parks.
Q Is he living? A No, sir.
Q Is he an indian or a white man? A He is a white man.
Q What was the name of your mother? A Rebecca Donahue.
Q Is she living? A No, sir.
Q Was she a Choctaw indian? A Yes, sir.
Q What proportion of Choctaw blood did she claim to have? A 3/8.
Q Was her name ever on the Choctaw Tribal rolls? A No, I think not.
Q Was she ever recognized by the Tribal authorities as being a Choctaw Indian by blood? A Not that I know of.
Q What proportion of Choctaw indian blood do you claim to have in your veins? A 3/16.
Q Has your name ever been on the Choctaw tribal rolls? A No, sir.
Q Have you ever been recognized by the Tribal authorities as a Choctawindian? A No, sir.
Q Did you ever apply to the Tribal authorities for enrollment as a Choctaw indian? A No, sir.
Q Did you apply to the Dawes Commission in the year 1896? A I didn't myself, but it was supposed that my name was put in the application but it was failed to be put on.
Q What was the title of the case? A I. M. Parks.
Q How many James A. Parks are there? A Only one.
Q Why didn't you get your name into the original application to the Dawes Commission? A I knew nothing of it until it was too late, my brother omitted to have my name in the application, but he didn't do it, and not knowing right at the time where I was -
Q You were not in the Territory in 1896? A Yes, sir, I was in the Territory in 1886.
Q Was your name interpolated into the application after it had been passed upon by the Dawes Commission? A It was in the Courts of the United States.
Q Was your name injected in the case between its first inception and the final action by the United States Court? A Yes, sir.
Q Then did the Court take it out again? A Why, I suppose, that was my understanding that my name was erased.
Q Who is Bert Leonard? A He is my niece's husband.
Q Selma Leonard is your niece? A She is one of my brother's children.
Q Who is Ruby Hollis? A She is my niece's child.
Q Who is Mary Stone? A She is my sister.
Q Who is James H. Bryant, Sr.? A I don't know him.
Q There is no such person? A Not that I know of, James A. is my name.
Q Are there any other James A. Parks Bryants other than yourself? A Not

that I know of, there is none.

Q Are you the only James A. Parks? A Yes, sir, in our connection.

Q And you don't know James H. Parks at all? A No, sir.

Q Who is Sarah Hartman? A She is a sister of mine.

Q Who else are you applying for besides yourself? A My children, two of my children appeared in the application before the Dawes Commission in 1896; the others was born since the application was made. Of course I am applying for all of them now.

Q What is the name of the mother of these children? A Susan Martha Parks.

Q She is a white woman? A Yes, sir.

Q Where were you married to her? A In Texas.

Q Do you wish to offer your marriage license and certificate in evidence? A I haven't got them, I can get them though.

Q What are the names and ages of your children? A Ora Belle Park is 10, Henry Stanley is 7, Mamie Ruth is 5, William Robert is 3, Luther Irvin is 2.

Q You say that some of these were born since the original application, you didn't make any original application? A No, sir, but it was supposed my name was added to the original application to the Commission but it wasn't, it was left out.

Q Is there any additional statement you would like to make in regard to your case at this time? A I would like for the decree of the Court to go as evidence in the case, I have two brothers that is on the roll.

Q What are your brother's names? A I. E. and K. C. Parks.

(The records examined, page 44, Docket C, Court case No. 552, I. E. Parks and K. C. Parks were admitted to citizenship in this case in the Choctaw Nation, as shown by the records.)

A I would like to further state that I am an own brother of the two, with the same father and mother.

Q Is that all? A Yes, sir, I have some papers here to file.

(The affidavit of K C. Parks, Francis A. Young, James A. Parks, offered in evidence, marked exhibit A, and placed on file.)

Q How many of these children were born before that first application was made to the Court? A Three of them.

Q What are the names of those three? A Ora Belle, Henry Stanley, and Mamie Ruth.

Q You then furnished certificates of birth, or you haven't furnished any certificates of birth of these next children, have you?

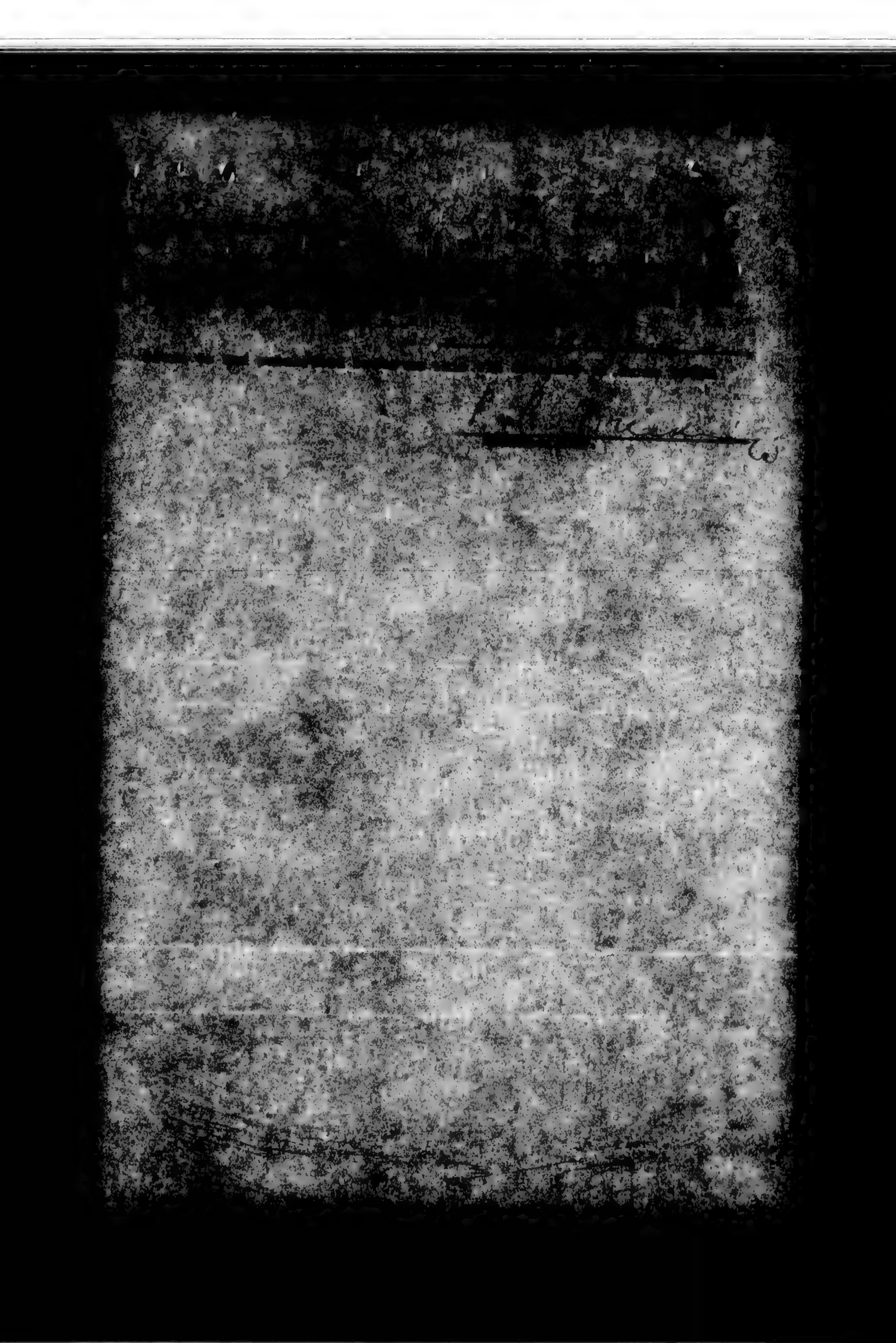
A When I put them two youngest in I had a certificate but the Commission didn't accept them.

Q You haven't the certificates with you now? A No, sir.

Q You will be permitted to offer them in future if you desire to do so, the children born since the original application.

The enrollment of Ora Belle and Henry Stanley and Mamie Ruth Parks is refused for the reason that their names do not appear upon the Tribal rolls of the Choctaw Nation now in the possession of this Commission, and for the additional reason that they have never been recognized by the lawfully constituted tribal authorities of the Choctaw Nation and they were not admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes acting under the law of June 10, 1896, or by a judgment of the United States Court for the Indian Territory.

Note: The case of James A. Parks and two youngest children will be placed on a white card, as doubtful.



THE STATE OF TEXAS,

COUNTY OF COMANCHE.

TO ALL WHO SHALL SEE THESE PRESENTS, ? GREETING:

Know ye, That any person legally authorized to celebrate the

RITES OF MATRIMONY

is hereby licensed to join in Marriage, as husband and wife, J. A. Park and Susan M. Price and for so doing this shall be sufficient authority; and due return made in sixty days after Solemnization

IN TESTIMONY WHEREOF, I, as Clerk of the County Court of Comanche County, hereto subscribe my name and affix the seal of said Court, this 23 day of November 1885

J. D. Bound,
Clerk County Court, Comanche Co. Texas

S E A L

State of Texas,
s.S.
County of Comanche,

THIS CERTIFIES that I joined in marriage as husband and wife, J. A. Park and Miss Susan M. Price on the 24 day of November 1885

Eld. S. H. Towers.

Endorsed on back hereof
Recorded on page 161
DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED JUL 2 1900
Tams Bixby Acting Chairman.

In Re application of Jas. A. Parks for enrollment.

Indian Territory :
: Before the undersigned authority on
Southern District :

this day personally appeared K. C. Parks whose postoffice address is Wayne, I. T. and who being first duly sworn on oath stated as follows in relation to the above matters: That Jas A Parks is my brother; that our father and mother was the same; that I and another brother by the name of I. E. Parks are Choctaw Indians by blood and are so recognized and admitted as such by the United States Court for the Southern District of the Indian Territory at Ardmore on January 20th., 1898, by virtue of a certain decree rendered therein in cause No 133, I. E. Parks et al vs. Choctaw Nation; that my brother Jas. A. Parks was married to Mattie Price in the year 1885; that from the union of said marriage there have been born unto them the following names children, to-wit:

Ora Bell Parks, aged 10 years
Henry Stanley .. .. 7 ..
Mamy Ruth .. .. 5 ..
William Robert.. .. 3 ..
Luther Ervin .. .. 2 ..

That said Jas.A.Parks and his family have resided in the Indian Territory continuously about fifteen years.and that he is a Choctaw Indian of the same blood as myself.

K. C. Parks.

Subscribed and sworn to before me this 16th.day of June,1900.
Jas H Wolverton
(Seal) Notary Public.

Copy.

In Re the Application of Jas.A.Parks for enrollment

Indian Territory)
)
Southern District.)

Before me the undersigned authority on this day personally appeared Francis A. Young, aged 34 years, whose post office address is Simon, I.T., who being duly sworn in relation to the above matter testified as follows:-

That she is acquainted with Jas.A.Parks; that she has known him from the time ye was born up to the present time; that at the time of his birth she was living about two miles away and was present during the confinement; that she knows of her own knowledge that said Jas. A. Parks was born unto Mrs. Rebecca parks and that she was the wife of WilliamParks; that there were several children born unto William parks and his wife Rebecca Parks among the number were I E. Parks and K. C. Parks who rights to Choctaw Citizenship by blood in the Indian Territory was settled by a decree rendered at Ardmore in the United States Court for the Southern District of the Indian Territory on January 20, 1898.admitting them together with their families; that I.E.Parks and K.C.Parks were from the same father and mother as Jas.A.Parks.

Francis A. Young

Subscribed and sworn to before me this 16th.day of June,1900.

Jas N. Wolverton

(Seal) Notary Public.

Copy.

In the matter of enrollment of Jas.A.Parks as Choctaw Citizen by blood in the Choctaw Nation or tribe of Indians in the Indian Territory.

Before me,Jas.H.Wolberton, a Notary Public in and for the Southern District of the Indian Territory on this day personally appeared Jas.A.Parks, aged 36 years and whose post office address is Leon, I.T. who being by me duly sworn on oath stated in relation to the above matter as follows:-

That he is a Choctaw Indian by blood; that the names and ages of himself and family are as follows:

James A. Parks,aged 36.
Susan M. Parks,aged 25,wife.
Ora Belle .. .. 9, daughter.
Henry S. .. .. 7,son.
Mamie R. .. .. 5,daughter.
Robert W. .. .. 3,son.
Luther E. .. .. 2,son.

That he has two brothers, namely,I.E.Parks and K.C.Parks, who are on the roll as Choctaw Indian citizens by blood;that there was a judgment rendered in the United States Court for the Southern District of the Indian Territory at Ardmore entitled cause No.133, I.E.Parks,etal vs. Choctaw Nation, on 20th.day of January,1898,decreeing the affiant as well as several others therein mantioned that they be admitted and enrolled as Choctaw Indian by blood by the Dawes Commission to the Five Civilized Tribes of Indians; that on Sept.23,1898,the affiant was enrolled by said Commission in Ardmore,I.T.;that since said date of enrollment the Choctaw Nation applied to the United States Court for the Southern District of the Indian Territory at Ardmore to have affiants name stricken from said judgment beaause his name did not appear among those in the application for citizenship when same was served upon the Gov-

ernor of the Choctaw Nation; that it took the same character of testimony to establish the rights to citizenship of I. E. Parks and K. C. Parks and their respective families as required in the case of affiant; that affiant had no knowledge of the filing of the application of his said borthers, I.E.Parks and K.C.Parks and as soon as he learned he appeared before the United States Court for the Southern District of the Indian Territory at Ardmore and was made a joint plaintiff in the cause aforesaid and was admitted and directed to be enrolled as a Choctaw Indian citizen by blood upon the same testimony in the case.

Your affiant would most respectfully pray that he be enrolled together with the members of his family as Choctaw Indian citizens of the Choctaw Nation or tribe of Indians; that he is justly entitled to same; that it would result in an irreparable injury to deprive the affiants of these rights of citizenship.

James A. Parks,

Subscribed and sworn to before me this 28th. dayof August, A.D.1899.

Jas H. Wolverton,

(Seal)

Notary Public.

Coyw.

Roff, Ind. Ter., June 23rd 1900.

This certifies I was present at the birth of two children (boys) born to J. A. Park and his wife of Leon I.T. One born Nov. 15th 1897, the other May 16th 1898.

C. A. Steward M D

Endorsed:

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
F I L E D JUL 5 1900
Tams Bixby Acting Chairman.

BIRTH AFFIDAVIT. 20

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of James Wolverton Parks (Here insert name of child.), born on the 13th day of July, 1900

Name of Father: James A. Parks a citizen of the Choctaw Nation.

Name of Mother Susan Martha Parks a non citizen of the Choctaw Nation.

Post-office Leon, I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY. } Southern District. }

I, Susan Martha Parks, on oath state that I am 26 years of age and a non citizen, by , of the Choctaw Nation; that I am the lawful wife of James A. Parks, , who is a citizen, by blood, of the Choctaw Nation; that a male (male or female.) child was born to me on 13th day of July, 1900; that said child has been named James Wolverton Parks, and is now living.

Susan Martha Parks

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 21 *day of* September 1900.

J. D. Garrett NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY. } Southern District, }

I, E. E. McGowon A Practicing physician, on oath state that I attended on Mrs. Susan Martha Parks, wife of James A. Parks, on the 13th day of July, 1900, that there was born to her on said date a male (male or female) child; that said child is now living and is said to have been named James Wolverton Parks.

E. E. McGowon

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 21 *day of* September 1900.

SEAL

J. D. Garrett NOTARY PUBLIC

20

IN RE

Application for Enrollment of

INFANT CHILD

James W Parks
as a citizen of

Choctaw Nation.

Approved SEP 27 1900 190

C. R. Breckinridge
Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
F I L E D SEP 27 1900
Tams Bixby
Acting Chairman.

Choctaw 5159

7-5189.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

--oOo--

In the matter of the application of James A. Parks, William R. Parks, Luther I. Parks and James Wolverton Parks for enrollment as citizens by blood of the Choctaw Nation.

-:D E C I S I O N:-

It appears from the record herein that on September 23, 1898, James A. Parks made original application to this Commission for the enrollment of himself and his minor children, William R. Parks and Luther I Parks, as citizens by blood of the Choctaw Nation. Further proceedings were had in the matter of said application at Durant, Indian Territory, in August, 1899, and at Calbert, Indian Territory, on June 18, 1900. The applicant, James Wolverton Parks, was born July 13, 1900, and is identified by proper proof of birth filed with the Commission and made a part of the record herein.

It appears from the records of the Commission that on September 5, 1896, in the case entitled "I. E. Parks and K. C. Parks et al., vs. Choctaw Nation" (1896 Choctaw Citizenship Docket, case number 552), original application was made to this Commission under the provisions of the act of Congress approved June 10, 1896 (29 Stats., 321), for the admission to citizenship in the Choctaw Nation of I. E. Parks and others, not including, however, the applicant herein, James A. Parks, and on December 2, 1896, the said I. E. Parks with other persons, was by this Commission denied citizenship in the Choctaw Nation. From this decision of the Commission an appeal was taken to the United States Court for the Southern District of Indian Territory, which court, in the case entitled "I. E. Parks et al., vs. Choctaw Nation" (Citizenship case number 133), on January 20, 1898, entered of record a judgment reversing said decision of the Commission denying the said I. E. Parks and others citizenship in the Choctaw Nation, and admitted them as citizens of said Nation.

It further appears that in said judgment of the United States Court for the Southern District of Indian Territory, there was erroneously interpolated, among others, the name of the applicant herein, James A. Parks; and that said court by said judgment admitted the said James A. Parks as a citizen by blood of said Nation; that on March 3, 1902, the said United States Court for the Southern District of Indian Territory, on motion of the plaintiff in said cause to have the judgment rendered therein on January 20,

1898, corrected, entered of record a judgment "nunc pro tunc" as of January 20, 1898, striking from said original judgment the name of "James H. Parks, Sr."

It further appears from the record herein that the person referred to as James H. Parks, Sr. in said judgment entered nunc pro tunc as of January 20, 1898, is the same person as the James A. Parks mentioned in said judgment as originally entered by said United States Court on January 20, 1898, being the principal applicant herein.

It does not appear from the record herein, or the records in the possession of the Commission, that any of the applicants herein have ever been enrolled by the tribal authorities of the Choctaw Nation, neither does it appear that they have ever been admitted to citizenship in the Choctaw Nation by the legally constituted authorities of said Nation nor does it appear that they have ever been admitted to citizenship in said Nation by the Commission to the Five Civilized Tribes, nor by the United States Court in the Indian Territory in accordance with the provisions of the act of Congress approved June 10, 1896 (29 Stat., 321), except as to the said James A. Parks, whose name was erroneously included in said judgment of the United States Court, as above set forth.

It is, therefore, the opinion of this Commission that James A. Parks, William R. Parks, Luther I Parks and James Wolverton Parks are not entitled to be enrolled as citizens by blood of the Choctaw Nation, and that their applications for enrollment as citizens by blood of said Nation should be denied, in accordance with the provisions of the act of Congress approved June 28, 1898, (30 Stats., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Chairman.

Commissioner.

C. R. Breckinridge

Commissioner.

Muskogee, Indian Territory,

JAN 19 1905

COPY.

Muskogee, Indian Territory, January 19, 1904.

James A. [illegible],
Lewis, Indian Territory.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered January 19,1904, denying the application for the enrollment of yourself and children William R. Parks, Luther I. Parks and James Wolverton Parks as citizens by blood of the Choctaw Nation.

The decision, with a copy of the proceedings had in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

TAMS BIXBY
CHAIRMAN.

Registered.
Encl. 7-5139.

Choctaw 8159.

COPY.

Muskogee, Indian Territory, January 19, 1905.

Wolverton & Marsh,

Attorneys at Law,

Duncan, Indian Territory.

Gentlemen:

You are hereby notified that the Commission to the Five Civilized Tribes on January 19, 1905, rendered its decision denying the application of James A. Parks, William R. Parks, Luther I Parks and James Wolverton Parks for enrollment as citizens by blood of the Choctaw Nation.

The decision, with a copy of the proceedings had in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

(SIGNED).

Tams Bixby

CHAIRMAN.

Registered.

Choctaw 5159

COPY.

Muskogee, Indian Territory, January 19, 1905.

Mansfield, McMurray & Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the decision of this Commission, rendered January 19, 1905, denying the application for the enrollment of James A. Parks, William R. Parks, Luther I. Parks and James Wolverton Parks, as citizens by blood of the Choctaw Nation.

The decision, with a copy of the proceedings in the case, is this day forwarded to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

SIGNED

Tams Bixby

Chairman.

Incl. 7-5159.

COPY.

[redacted], Indian Territory, January 19, 1905.

The Honorable,
The Secretary of the Interior,
Sir:

There is herewith transmitted the record in the matter of the application for the enrollment of James A. Parks, William R. Parks, Luther T. Parks and James Wolverton Parks, as citizens by blood of the Choctaw Nation, including the decision of the Commission, dated January 19, 1905, denying said application.

Respectfully,

[redacted]

Through the Commissioner of Indian Affairs.
S Incl. T-2159.

Land.
5678-1905. (COPY).

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON, March 21, 1905.

The Honorable,

The Secretary of the Interior.

Sir:

I enclose a report from the Commission to the Five Civilized Tribes, dated January 19, 1905, transmitting the record of the application for enrollment as citizens by blood of the Choctaw Nation by James A. Parks for himself and his minor children, William R., Luther I.Parks and James Wolverton Parks.

January 19, 1905, the Commission decided adversely to all the applicants.

The record shows that on December 2, 1896, the Commission denied citizenship in the Choctaw Nation to I.N.Parks et al., not including any of the applicants herein; that on January 29, 1898, the United States Court, Southern District, Indian Territory, reversed the decision of the Commission; that in said judgment there was erroneously interpolated the name of the principal applicant herein, James A. Parks; that on March 5, 1899, the said Court entered of record a judgment nunc pro tunc as of January 29, 1898, striking from said original judgment the name of the principal applicant, herein, James A. Parks.

It does not appear that any of the applicants has been enrolled or admitted to citizenship by any tribal authority of the Choctaw Nation or by any United States tribunal other than as above cited.

In view of the records the approval of the Commission's decision adverse to all the applicants is recommended.

Very respectfully, [illegible]
Commissioner.

[illegible]

[illegible] Department of the Interior,
[illegible], March 30, 1905.

Commission to the Five Civilized Tribes,
Muskogee, Indian Territory.

Gentlemen:

January 19, 1905, you transmitted the record of the application of [illegible] A. Parks for the enrollment of himself and his three minor children, William R. Parks, Luther L. Parks, and Jamie Wolverton Parks, forwarding your decision dated January 19, 1905, adverse to all the applicants.

March 25, 1905, the Acting Commissioner of Indian Affairs reporting in the matter, recommended that your decision adverse to all the applicants be affirmed. A copy of his letter is herewith inclosed.

The Department concurs in the recommendation made and your decision dated January 19, 1905, adverse to all the applicants is hereby affirmed.

Respectfully,

E. A. HITCHCOCK,

Secretary.

1 inclosure.

COPY.

Muskogee, Indian Territory, April 10, 1906.

James A. Parks,

Leon, Indian Territory,

Dear Sir:

You are hereby notified that on the 30th day of March, 1906, the Secretary of the Interior affirmed the decisions of this Commission, rendered January 19, 1905, denying the applications for the enrollment of yourself and children, William B. Parks, Luther I. Parks, James Welverton Parks, Ora Belle Parks, Henry Stanley Parks and Mamie Ruth Parks, as citizens by blood of the Choctaw Nation.

Respectfully,

SIGNED

T. B. Needles.

Commissioner in Charge.

Choctaw 5188

COPY.

Muskogee, Indian Territory, April 10, 1906.

Welverton & Marsh,

Attorneys at Law,

Duncan, Indian Territory,

Gentlemen:

You are hereby notified that on the 30th day of March, 1906, the Secretary of the Interior affirmed the decision of this Commission, rendered January 19, 1905, denying the application for the enrollment of James A. Parks, William R. Parks, Luther I. Parks and James Welverton Parks as citizens by blood of the Choctaw Nation.

Respectfully,

SIGNED

T. B. Needles.

Commissioner in Charge.

Choctaw--5159
Choctaw R-730

COPY.

Muskogee, Indian Territory, April 10, 1905.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

You are hereby notified that on the 30th day of March, 1905, the Secretary of the Interior affirmed the decisions of this Commission, rendered January 19, 1905, denying the applications for the enrollment of James A. Parks, William R. Parks, Luther I. Parks, James Wolverton Parks, Ora Belle Parks, Henry Stanley Parks and Mamie Ruth Parks, as citizens by blood of the Choctaw Nation.

Respectfully,

SIGNED

T. B. Needles.

Commissioner in Charge.

Muskogee, Indian Territory, July 6, 1900.

Mr. James A. Parks,

Leon, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of July 3rd, with which you inclose your marriage certificate and physician's certificate in regard to the enrollment of William R. Parks and Luther C. Parks, and the same have been duly filed with the records of the Commission.

Yours truly,

Acting Chairman.

T.D 577

Muskogee, Indian Territory, September 27, 1900.

Wolverton & Marsh,

Attorneys at Law,

Duncan, Indian Territory.

Gentlemen:

The Commission is in receipt of your letter of the 25th instant, enclosing the application for enrollment as a citizen of the Chickasaw Nation of Junius Wolverton Parks, the infant son of J. A. and Susan Martha Parks, born July 17th, 1900 and the same being in proper form has been duly filed with the records of this Commission and the child listed for enrollment as a citizen of the Chickasaw Nation.

Yours truly,

Acting Chairman.

T-5150

Muskogee, Indian Territory, February 16, 1907.

W. H. Cross,

Overbrook, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of February 4, 1907, asking relative to your citizenship in the Choctaw Nation.

In reply to your letter you are advised that your case is still pending before the Department, and you will be notified of such action as is taken therein.

Respectfully,

Commissioner.

MEMORANDA.

JUN 18 1900 (Date) JUN 18 1900

Name James A Parks, (37) Leon, I.T.

Choctaw? yes. County ..... Year ..... No. .....

Chickasaw? ..... County ..... Year ..... Page .....

Citizen by blood? yes, (3/16) Mother's citizenship CHOCTAW. (3/4)

Intermarried citizen? .....

Married under what law? .....

License filed this day, ...

Wife's name, ...

Choctaw? ..... County ..... Year ..... No. .....

Chickasaw? ..... County ..... Year ..... Page .....

Citizen by blood? ..... Mother's citizenship .....

CHOCTAW.

Married prior to Marriage Act Dec 1, 1900

Intermarried citizen? .....

Married under what law? .....

License filed this day .....

Names of children:

..... County ..... Year ..... Page ..... No. .....

10. Ora Belle ..... County ..... Year ..... Page ..... No. .....

7. Henry Stanley ..... County ..... Year ..... Page ..... No. .....

5. Maude R. ..... County ..... Year ..... Page ..... No. .....

3. William R. ..... County ..... Year ..... Page ..... No. .....

2. Luther J ..... County ..... Year ..... Page ..... No. .....

..... County ..... Year ..... Page ..... No. .....

..... County ..... Year ..... Page ..... No. .....

..... County ..... Year ..... Page ..... No. .....

..... County ..... Year ..... Page ..... No. .....

William Parks, (father.) Dead

Rebecca Parks, (mother) Dead

"

Copy.

Choctaw Court Card C. 205

IN RE application of Mary Stout.

Sworn by Commissioner McKennon

Mary Stout says :

I have lived in the Territory continuously for 5 years.

Ardmore, Sept. 23 1898.

Mary Stout

enrolled.

7-8160.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

--oOo--

In the matter of the application of Mary Stout for enrollment as a citizen by blood of the Choctaw Nation.

--oOo--

-:D E C I S I O N:-

--oOo--

It appears from the record herein that on September 23, 1898, Mary Stout made original application to this Commission for enrollment as a citizen by blood of the Choctaw Nation.

It appears from the records of the Commission that on September 5, 1896, in the case entitled "I. E. Parks and K. C. Parks et al., vs Choctaw Nation" (1896 Choctaw Citizenship Docket, case number 552) original application was made to this Commission under the provisions of the act of Congress approved June 10, 1896, (29 Stats., 321) for the admission to citizenship in the Choctaw Nation of I. E. Parks et al., not including, however, the applicant herein, Mary Stout, and on December 2, 1896, the said I. E. Parks, with other persons, was by this Commission denied citizenship in the Choctaw Nation. From this decision of the Commission an appeal was taken to the United States Court for the Southern District of Indian Territory, which court, in the case entitled "I. E. Parks et al., vs Choctaw Nation," (citizenship case number 133), on January 20, 1898, entered of record a judgment reversing the decision of the Commission denying the said I. E. Parks and others citizenship in the Choctaw Nation, and admitting them as citizens of said Nation.

It further appears that in said judgment of the United States Court for the Southern District of Indian Territory there was interpolated, among others, the name of the applicant herein, Mary Stout, and that said court by said judgment admitted the said Mary Stout as a citizen by blood of said Nation; that on March 1, 1899, the said United States Court for the Southern District of Indian Territory on motion of the plaintiff in said cause to have the judgment therein rendered on January 20, 1898, corrected, entered of record a judgment nunc pro tunc as of January 20, 1898, striking from said original judgment the name of the applicant herein, Mary Stout.

It does not appear from the record herein or from the records in the possession of the Commission that the applicant has ever been enrolled by the tribal authorities of the Choctaw

Nation, nor does it appear that she has ever been admitted to citizenship in the Choctaw nation by the legally constituted authorities of said Nation, nor does it appear that she has ever been admitted to citizenship in said Nation by the Commission to the Five Civilized Tribes nor by the United States Court in the Indian Territory, in accordance with the provisions of the act of Congress approved June 10, 1896, (29 Stats., 321), except that her name was erroneously included in said judgment of the United States Court as above set forth.

It is, therefore, the opinion of this Commission that Mary Stout is not entitled to enrollment as a citizen by blood of the Choctaw Nation, and that her application for enrollment as a citizen by blood of said Nation should be denied in accordance with the provisions of the act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,

JAN 19 1905

COPY.

Muskogee, Indian Territory, January 19, 1904.

Mary Stout,

Ardmore, Indian Territory.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered January 19, 1904, denying your application for enrollment as a citizen by blood of the Choctaw Nation.

The decision, with a copy of the proceedings had in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Tams Bixby

CHAIRMAN.

Registered.

Encl. 7-$1.60.

Choctaw 5160

COPY.

Muskogee, Indian Territory, January 19, 1905.

Mansfield, McMurray & Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of this Commission, rendered January 19, 1905, denying the application for the enrollment of Mary Stout as a citizen by blood of the Choctaw Nation.

The decision, with a copy of the proceedings had in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

ENCLOSED.

Tams Bixby

Chairman.

Incl. 7-5160.

COPY.

Muskogee, Indian Territory, January 19, 1905.

The Honorable,

The Secretary of the Interior,

Sir:

There is herewith transmitted the record in the matter of the application for the enrollment of Mary Stout as a citizen by blood of the Choctaw Nation, including the decision of the Commission, dated January 19, 1905, denying said application.

Respectfully,

SIGNED

Tams Bixby

CHAIRMAN.

Through the

Commissioner of Indian Affairs.

2 Incl. 7-5160.

Land.
8869-1905.

(COPY)

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,

WASHINGTON, March 22, 1905.

The Honorable,

The Secretary of the Interior.

Sir:

I enclose a report from the Commission to the Five Civilized Tribes, dated January 19, 1905, transmitting the record of the application for enrollment as a citizen by blood of the Choctaw Nation by Mary Stout.

January 19, 1905, the Commission decided adversely to the applicant.

The record shows that on December 2, 1896, the Commission denied the application for citizenship in the Choctaw Nation of I. P. Parks et. al. (not including the applicant herein, for whom no application had been made). From the decision of the Commission an appeal was taken to the United States Court, Southern District, Indian Territory, which Court reversed the decision of the Commission, the name of the applicant herein, was interpolated and on January 20, 1898, admitted this applicant, among others, to citizenship in the Choctaw Nation; that on March 3, 1899, the said court entered of record a judgment nunc pro tunc as of January 20, 1898, striking from said original judgment the name of Mary Stout, the applicant herein.

[illegible] appeal proceeds from the record that the applicant has ever been enrolled or admitted to citizenship by any tribal authority of the Choctaw Nation or by any United States tribunal.

In view of the record the approval of the Commission's decision adverse to the applicant is recommended.

Very respectfully,

C. F. Burgess

W. M. M.

Acting Commissioner.

(COPY)
G. R. MLB

DEPARTMENT OF THE INTERIOR,

WASHINGTON,

D. C. 17803-1905.
I. T. D. 2972-1905.
LRS.

March 31, 1905.

Commission to the Five Civilized Tribes,
Muskogee, Indian Territory.

Gentlemen:

January 19, 1905, you transmitted the record of the application of Mary Stout for her enrollment as a citizen by blood of the Choctaw Nation, including your decision dated January 19, 1905, adverse to the applicant.

March 22, 1905, the Acting Commissioner of Indian Affairs reporting in the matter, recommended that your decision adverse to the applicant be affirmed. A copy of his letter is herewith inclosed.

The Department concurs in the recommendation made and your decision adverse to the applicant is hereby affirmed.

Respectfully,

E. A. Hitchcock,
Secretary.

1 inclosure.

T-6240.

COPY.

Muskogee, Indian Territory, April 18, 1905.

Mary Stout,

Ardmore, Indian Territory,

Dear Madam:

You are hereby notified that on the 31st day of March, 1905, the Secretary of the Interior affirmed the decision of this Commission, rendered January 19, 1905, denying your application for enrollment as a citizen by blood of the Choctaw Nation.

Respectfully,

SIGNED

Tams Bixby

Chairman.

T-8160.

COPY.

Muskogee, Indian Territory, April 18, 1905.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

[illegible] Manchester, Indian Territory.

Gentlemen:

You are hereby notified that on the 31st day of March, 1905, the Secretary of the Interior affirmed the decision of this Commission, rendered January 19, 1905, denying the application for the enrollment of Mary Stout as a citizen by blood of the Choctaw Nation.

Respectfully,

SIGNED

Tams Bixby

Chairman.

W. O. B.

COMMISSIONERS:
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE

WM. O. BEALL,
Secretary

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING
7-5160.

ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, April 18, 1905.

Mary Stout,

Ardmore, Indian Territory,

Dear Madam:

You are hereby notified that on the 31st day of March, 1905, the Secretary of the Interior affirmed the decision of this Commission, rendered January 19, 1905, denying your application for enrollment as a citizen by blood of the Choctaw Nation.

Respectfully,

Chairman.

Chc 5161 Maggie Harbolt

N°5 Dismissed Dec 3, 1904

5161

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

--oOo--

Record in the matter of the application for enrollment as a citizen by blood of the Choctaw Nation of Obie Harbolt, 7-5161.

...w Court Card C. 206

...tion of Maggie Harbolt and others.

Maggie Harbolt says:

Obie was born April 23d 1898.

My husband is Wilson Harbolt.

I have lived in the Chickasaw Nation 21 years continuously .

Ardmore, Sept. 23 1898.

Maggie Harbolt
Harvey Harbolt
Edgar Harbolt
Deola Harbolt
Obée Harbolt

enrolled.

7-5161

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Obie Harbolt for enrollment as a citizen by blood of the Choctaw Nation.

------:------:------

The applicant, Obie Harbolt, claims the right to enrollment as a citizen by blood of the Choctaw Nation through her mother, Maggie Harbolt.

The right of the applicant's mother, Maggie Harbolt, to citizenship in the Choctaw Nation having been adversely determined by decrees of the Choctaw and Chickasaw Citizenship Court, of October 20, 1904, in cases numbers 100 and 115 upon the Tishomingo docket of said Court, it is hereby ordered that the application of Obie Harbolt for enrollment as a citizen by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Muskogee, Indian Territory,

FEB 3 1906

Choctaw 5161.

COPY.

Muskogee, Indian Territory, December 3, 1904.

Maggie Herbolt,

Davis, Indian Territory,

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated December 3, 1904, dismissing the application for the enrollment of your minor child, Obie Herbolt, as a citizen by blood of the Choctaw Nation.

Respectfully,

SIGNED

Tams Bixby

Chairman.

Registered.

Inel. 7-5161.

Choctaw 8161.

COPY.

Muskogee, Indian Territory, December 4, 1904.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission, dated December 3, 1904, dismissing the application for the enrollment of Ohio Harbolt as a citizen by blood of the Choctaw Nation.

Respectfully,

SIGNED

Tams Bixby

Chairman.

Incl. 7-8161.

Choctaw 5161

Muskogee, Indian Territory, September 18,1902.

W. M. Kern,

Monk, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of September 12, in which you ask to be informed if one James Melton Gardner is enrolled as a citizen of the Chickasaw Nation.

In reply to your letter you are advised that it appears from our records that J. M. Gardner, forty five years of age, of Elk, Indian Territory, was, on September 23, 1898, listed for enrollment as a citizen of the Choctaw Nation by intermarriage, pursuant to a judgment of the United States Court for the Southern District of Indian Territory, of December 21,1897 and on the same date his three minor children, James M., eighteen years old, Maudie E., twelve years of age, and Cora L. Gardner, ten years of age, were listed for enrollment, pursuant to the said judgment. It does not appear from our records that these parties have ever been recognized by the Choctaw tribal authorities, nor do their names appear on the tribal rolls of the Choctaw Nation in the possession of the Commission, their rights as citizens of the Choctaw Nation being dependent entirely upon the judgment of the United States Court in Indian Territory

W.H.K. s

of [illegible], above referred to.

Respectfully,

Acting Chairman.

Choctaw 5162

Muskogee, Indian Territory, April 10, 1903.

L. P. Duncan,

Klondike, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of April 7, asking if J. M. Gardner is on the rolls, and if so, to what nation he belongs.

In reply to your letter you are advised that it appears from our records that J. M. Gardner was admitted to citizenship in the Choctaw nation by a judgment of the United States Court for the Southern District of the Indian Territory, rendered at Ardmore, December 21, 1897, in court case Number 127.

On December 17, 1902, the Choctaw-Chickasaw Citizenship Court created under the provisions of the act of Congress of July 1, 1902, which was ratified by the Choctaw and Chickasaw nations on September 25, 1902, vacated and set aside all judgments of the United States Courts in Indian Territory, admitting persons to citizenship in the Choctaw and Chickasaw Nations.

Respectfully,

Chairman.

Choctaw Court Card 0. 207

...n of J.M.Gardner and others.

...r

J.M.Gardner says:

Maudie E. was admitted as Mauda Eldora".

I have been living in the Chickasaw Nation for 20 years continuously except one year I lived in the Choctaw Nation.

Ardmore, Sept. 23 1898.

J.M.Gardner
James M. Gardner
Maudie E. Gardner
Cora L. Gardner

enrolled.

Choc 5163 W.C. Southward

N°8 Dismissed 9-10-04

5163

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

----o----

Record in the matter of the application for enrollment as a citizen by blood of the Choctaw Nation of:

WILLIAM ADOLPHUS RAMSEY 7-5163.

----o----

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
AUG 5 1902

ACTING CHAIRMAN.

CHOCTAW.
3163

Certificate of Board of Marriage

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District. } sct.

I, C. M. CAMPBELL, Clerk of the United States Court, in the Territory and District aforesaid, DO HEREBY CERTIFY, that the License for and Certificate of Marriage of

Mr. W. W. Ramsey and

M Mary E. Southward

were filed in my office in said Territory and District the 19 day of Feb. A. D. 190 1

and duly recorded in Book E of

Marriage Record, Page 249

WITNESS my hand and Seal of said Court, at

Ardmore, this 20th day

of [illegible] A. D. 190 1

FILED
FEB 19 1901
C. M. Campbell,
CLERK.

C. M. CAMPBELL, Clerk.

☞ Return this License to the United States Clerk at Ardmore, that it may be recorded, when it will be mailed to the proper address.

Marriage License

[redacted]

United States of America,
INDIAN TERRITORY
SOUTHERN DISTRICT. } ss:

To Any Person Authorized by Law to Solemnize Marriage, Greeting:

You Are Hereby Commanded To solemnize the Rite and publish the Banns of Matrimony between Mr. W.W.Ramsey, of Naples, in the Indian Territory, aged 35 years and Miss Mary Elizabeth Southward, of Dibble, in the Indian Territory, aged 21 years, according to law; and do you officially sign and return this License to the parties therein named.

Witness My hand and official Seal, this 22nd, day of [redacted]ember, A. D. 190 0.

By J W Speak Deputy. C.M.Campbell,
Clerk of the United States Court.

Certificate of Marriage.

UNITED STATES OF AMERICA,
INDIAN TERRITORY.
SOUTHERN DISTRICT. } ss:

I, R. J. Young of a Minister of the Gospel do hereby certify, that on the 25 day of Dec. A. D. 1900, I did duly and according to law, as commanded in the foregoing License, solemnize the Rite and publish the Banns of Matrimony between the parties therein named.

WITNESS my hand, this 18 day of Feb. A. D. 1901

My credentials are recorded in the office of the Clerk of the United States Court, Indian Territory, Southern District, at Ardmore, Book , Page

My credentials are recorded at Tishomingo Ok. Record 1.

(NOTE.—The person officiating should fill in the spaces for book and page and sign here.)

R J Young
a Minister of the Gospel

NOTE (a)—This License and Certificate of Marriage must be returned to the office of the Clerk of the United States Court in the Indian Territory, at Ardmore, within sixty days from the date thereof, or the party to whom the License was issued will be liable in the amount of One Hundred Dollars ($100.)

NOTE (b)—No person is authorized to perform the Marriage Ceremony in the Southern District unless the proper credentials have first been recorded in the Clerk's office.

Indian Printing Company, Fort Worth.

CHOCTAW.

20

IN RE

Application for Enrollment of

INFANT CHILD

William Adolphus Ramsey

as a citizen of

Choctaw Nation.

Approved JUN 28 1902 190

Commissioner.

CHOCTAW. 5163

BIRTH AFFIDAVIT. 20

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of William A. Ramsey (Here insert name of child.), born on the 29 day of November, 1901

Name of Father: William W. Ramsey a citizen of the ——— Nation.

Name of Mother: Mary E. Ramsey a citizen of the Choctaw Nation.

Post-office Dibble I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Southern District.

I, Mary E. Southward (Ramsey) on oath state that I am 22 years of age and a citizen, by Birth, of the Choctaw Nation; that I am the lawful wife of William W. Ramsey, ~~who is a citizen, by~~ , of the Nation; that a male (male or female.) child was born to me on 29 day of November 1901 that said child has been named William Adolphus Ramsey, and is now living.

WITNESSES TO MARK:
(Must be Two Witnesses.) J. B. Thurston
Anna B. Crouch

X Mary E Ramsey

Subscribed and sworn to before me this 18 *day of* June 1902

My com-Exp-1906 W. E. Crouch NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, District,

I, Dr La Cleveland, a physician, on oath state that I attended on Mrs. Mary E Ramsey, wife of William W Ramsey on the 29 day of November, 1901 that there was born to her on said date a male (male or female) child; that said child is now living and is said to have been named William Adolphus Ramsey

Dr. L. L. Cleveland

WITNESSES TO MARK:
(Must be Two Witnesses.) J. B. Thurston
Anna B Crouch

Subscribed and sworn to before me this 18 *day of* June 1902

My Com-Exp-1906 W. E. Crouch NOTARY PUBLIC

D62

7-5163.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

----o----

In the matter of the application for the enrollment of William Adolphus Ramsey as a citizen by blood of the Choctaw Nation.

--: D E C I S I O N :--

The applicant, William Adolphus Ramsey, claims his right to enrollment as a citizen by blood of the Choctaw Nation through his mother Mary E. Southward. The right of the applicant's mother, Mary E. Southward, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, June 29, 1904, in case No. 31 upon the Tishomingo docket of said court, it is hereby ordered that the application of William Adolphus Ramsey for enrollment as a citizen by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Chairman.

Muskogee, Indian Territory,

SEP 10 1904

Chahta Okla

COPY.

Muskogee, Indian Territory, September 12, 1904.

Mary L. Kornbly

Dibble, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated September 10, 1904, dismissing the application for the enrollment of William Adolphus Ramsey, as a citizen by blood of the Choctaw Nation.

Respectfully,

SECRETARY

Tams Bixby.
Chairman.

Registered
Ind. 7-1-28.

Choctaw 31.62

COPY.

Muskogee, Indian Territory, September 12, 1904.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission dated September 10, 1904, dismissing the application for the enrollment of William Adolphus Ramsey, as a citizen by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

Tams Bixby.

Chairman.

Inc. 7-8162.

Muskogee, Indian Territory, February 7, 1902.

J. B. Harris,

Dibble, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of the 4th instant enclosing a letter from John M. Simpson, Superviser of Schools for the Chickasaw nation and also requesting that you be informed if the names of Marion, Maggie and Myrtle Southward, Thomas McKinley and Daisy Bird, appear upon the roll of citizens of the Choctaw nation as being prepared by this Commission.

Replying to your letter you are informed that the records of this Commission show that a W. C. Southward, 49 years of age, together with his wife, Mary, and their five children, Mary E., John P., James M., Jessie M. and Maggie M. Southward were listed for enrollment as citizens of the Choctaw Nation, September 23rd, 1899 they having been admitted to citizenship by judgment of the United States Court for the Southern District of Indian Territory, rendered at Ardmore, Indian Territory, September 25th, 1899 in court case No. 127.

If these are not the Southward children of whom you inquire, the Commission must request that you furnish more definite information as to the time and place they claim to have made application for enrollment, the names of their parents and any other information that may lead to their identification.

J 3 h 4

As to Thomas [illegible] and Daisy Bird you are informed that a careful search of the records of the Commission does not show that any parties by these names have ever been listed for enrollment by this Commission as citizens of either the Choctaw or Chickasaw nations.

If you will furnish us more definite information relative to these two children, their ages, the names of their parents, their post-office address, the time and place it is claimed application was made for their enrollment and any other information that may lead to their identification, the matter will receive further consideration.

The letter of Mr. Simpson is returned to you herewith.

Yours truly,

Acting Chairman.

Enc hh

7-8163

Choctaw 6183.

Muskogee, Indian Territory, June 25, 1902.

William W. Ramsey,

Dibble, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of William A. Ramsey, the infant son of William W. and Mary E. Ramsey, born November 29, 1901, and the same being in proper form has been duly filed with the records of this office and the child listed for enrollment as a citizen of the Choctaw Nation.

You are requested to forward either the original or certified copy of the marriage license and certificate between yourself and Mary E. Southward, as authority for the changing of her name upon our records from her maiden name to her present married name. Please give this matter your prompt attention.

Yours truly,

Commissioner in Charge.

[redacted]

Muskogee, Indian Territory, August 3, 1903.

U.S. Bunny,

[redacted] Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the marriage license and certificate between U.S. Bunny and Mary Elizabeth Scrimsher, and the same have been duly filed as authority for the change of the name of Mary E. Scrimsher from her maiden name to her present married name, Mary E. Bunny.

Yours truly,

Acting Chairman.

Muskogee, Indian Territory, April 4, 1903.

Carrie B. Mackey,

Dibble, Indian Territory,

Dear Madam:

Receipt is hereby acknowledged of your letter of March 25, asking if your right has been established. You also want to know if a man named Southward can put John Roberts off his place.

In reply to your letter you are advised that it does not appear from our records that Carrie B. Mackey is an applicant to this Commission for enrollment in the Choctaw or Chickasaw Nation. It does appear, however, that Belle Mackey, wife of B. P. Mackey, has been listed among the doubtful claimants to enrollment as an intermarried citizen of the Choctaw nation, and her final right to such enrollment has not yet been determined.

You are further advised that the Commission cannot at this time render any opinion relative to the rights of individuals to the possession of particular tracts of the Choctaw-Chickasaw country. Matters of this character will receive its consideration upon the establishment of land offices, which will be April 15, 1903, at which time the citizens of the Choctaw and Chickasaw Nations may appear at the land office for the nation in which their land is located

C R M A

and make formal application for their allotments.

Respectfully,

Chairman.

Choctaw Court Card C. 208.

IN RE application of W.C.Southward and others.

Kenton.

W.C.Southward says:

Mary Elizabeth was admitted as "Elizabeth".

I have lived in the Territory continuously for 5 years.

Ardmore, Sept. 23 1898.

W.C.Southward
Mary Southward
Mary Elizabeth Southward
John F. Southward
James M. Southward
Jessie M. Southward
Maggie M. Southward

enrolled.

Choc 5869 Jefferson Coins JR

1915

Choctaw 5145
5164,5165.

Muskogee, Indian Territory, January 6, 1903.

G. L. Phillips,

Tuskerville, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of December 19, asking if James, Randolph, Jerry, Lizie and Rube Goins are properly enrolled.

In reply to your letter you are advised that it appears from our records that James Goins, Randolph Goins, Lizzie Goins, Jeremiah Goins and Reuben Goins have been listed for enrollment as citizens of the Choctaw Nation pursuant to a judgment of the United States Court for the Southern District of the Indian Territory, at Ardmore, rendered December 21, 1897, in court case , Citizenship Docket, Number 127. The Citizenship Court created under the act of Congress approved July 1, 1902, on December 17, 1902, vacated and set aside all of the said judgments.

Respectfully,

Acting Chairman.

Choctaw 8164

Muskogee, Indian Territory, January 24, 1903.

Monroe Goins,

Purcell, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of January 3, asking relative to the status of your case, and in reply thereto you are advised that it appears from our records that you were admitted to citizenship in the Choctaw Nation by a judgment of the United States Court for the Southern District of the Indian Territory, rendered at Ardmore, December 21, 1898, in citizenship case Number 127. On December 17, 1902, the "Choctaw-Chickasaw Citizenship Court", created under the act of Congress of July 1, 1902, which was ratified by the Choctaw and Chickasaw Nations on September 25, 1902, vacated and set aside all judgments of the United StatesCourts in Indian Territory admitting persons to citizenship in the Choctaw and Chickasaw Nations.

It may be added that lands on which so-called court claimants have improvements, not in excess of lawful allotments, will not be allotted to any citizen until the rights of such court claimants are finally determined.

Respectfully,

Acting Chairman.

Choctaw 5164.

Muskogee, Indian Territory, July 13, 1904.

The Honorable,

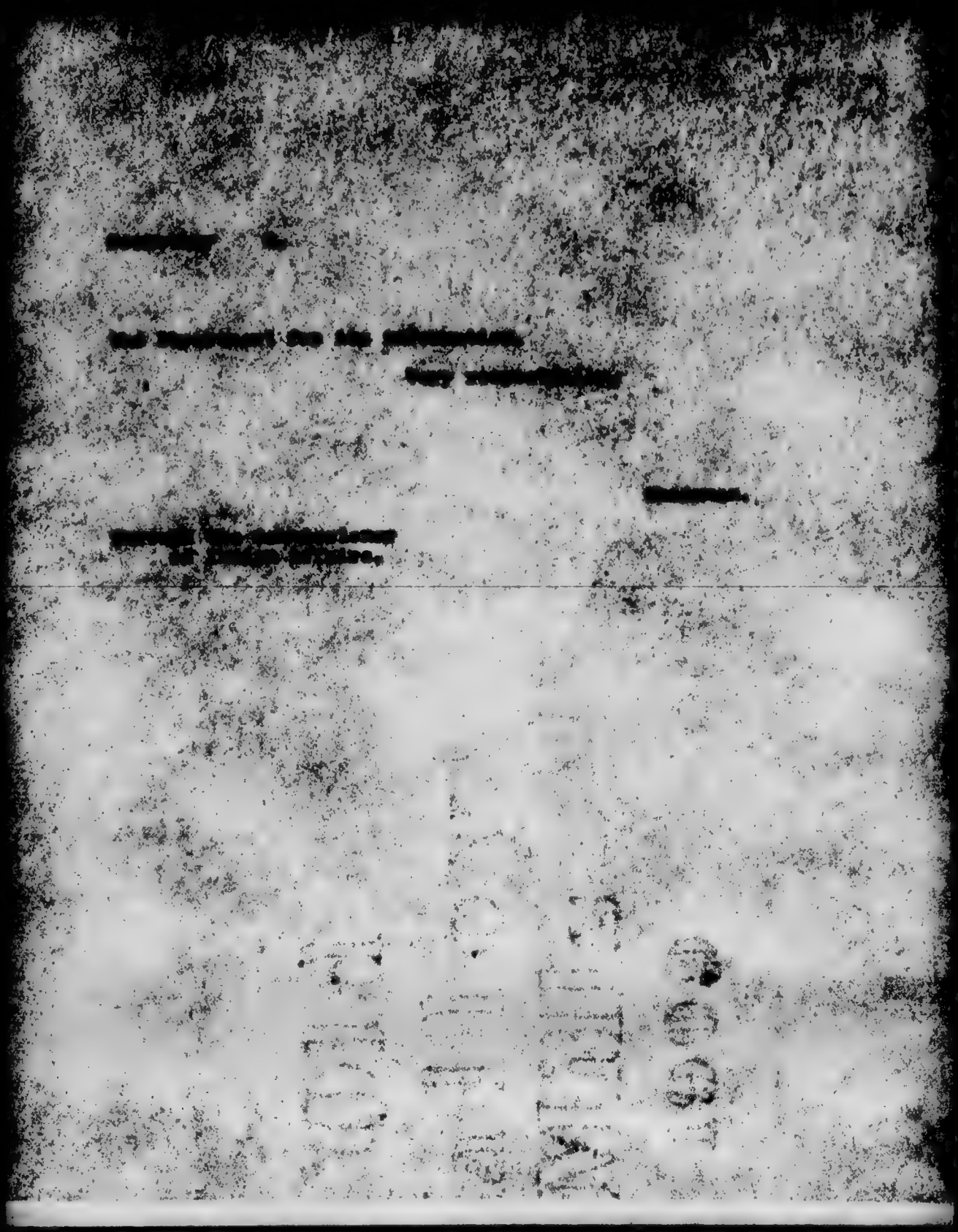
The Secretary of the Interior,

Sir:

Receipt is hereby acknowledged of Departmental letter of June 16, 1904, (I.T.D. 5460-1903), referring to letter of the Commission of December 10, 1903, submitting the application of Jeremiah Goins, Jr., for the enrollment of his minor child, Jesse Goins, as a citizen of the Choctaw Nation, in which the Commission is requested to ascertain as soon as practicable and report to the Department the status of the case of Jeremiah Goins, Jr., before the Choctaw and Chickasaw Citizenship Court.

In reply, I have the honor to report that on June 29, 1904, the Choctaw and Chickasaw Citizenship Court rendered its decree in the case of Robert Goins, et al., versus the Choctaw and Chickasaw Nations, case number 21 on the Tishomingo docket, denying the right to citizenship in the Choctaw Nation of the persons included therein, among whom is Jeremiah Goins, Jr.

I have the honor further to report that on July 12, 1904, a certified copy of the decree of the Choctaw and Chickasaw Citizenship Court in the case of Robert Goins, et al., was transmitted to



Choctaw 5164.

Muskogee, Indian Territory, July 13, 1904.

The Honorable,

The Secretary of the Interior.

Sir:

Receipt is hereby acknowledged of Departmental letter of June 18, 1904, (I.T.D. 3460-1903), referring to letter of the Commission of December 10, 1903, submitting the application of Jeremiah Goins, Jr., for the enrollment of his minor child, Jesse Goins, as a citizen of the Choctaw Nation, in which the Commission is requested to ascertain as soon as practicable and report to the Department the status of the case of Jeremiah Goins, Jr., before the Choctaw and Chickasaw Citizenship Court.

In reply, I have the honor to report that on June 29, 1904, the Choctaw and Chickasaw Citizenship Court rendered its decree in the case of Robert Goins, et al., versus the Choctaw and Chickasaw Nations, case number 51 on the Tishomingo docket, denying the right to citizenship in the Choctaw Nation of the persons included therein, among whom is Jeremiah Goins, Jr.

I have the honor further to report that on July 12, 1904, a certified copy of the decree of the Choctaw and Chickasaw Citizenship Court in the case of Robert Goins, et al., was transmitted to

[illegible] 2.

the Department for its information.

Very respectfully,

[illegible]

Through the Superintendent
of Indian Affairs.

Chickasaw Court Card C. 269

In the matter of Jeremiah Goins Jr. and Others.

W .C.Southward says:

This family are living in the Chickasaw Nation and have been for 25 years.

Ardmore, Sept. 28 1898.

Jeremiah Goins Jr.
Monroe Goins
William Goins
Frank Goins
Leonard Goins

enrolled.

The State of Texas)
:
County of Atascosa.) To Any Ordained Minister of the Gospel, Judge of the District Court, or Justice of the Peace:

You are hereby licensed to Solemnize or join in the Holy Union of Matrimony, Mr. Jeremiah Goins and Miss Sarah Alice Smith, in accordance with the laws of this State, and that you make due return of this license to the District Clerk's Office of said County within Sixty days from date hereof, certifying how you have executed the same.

Witness A. G. Martin, Clerk of the District Court of said County and the seal thereof, at office in Pleasanton on the 4th day of September A. D. 1874.

A. G. Martin,
Cl'k. D. C. A. Co.

I certify that I joined the above specified parties in the Holy Union of Matrimony, Sept. 4th A. D. 1874.

W. H. Smith,
J. P. Prec. No. 1, A. Co.

Filed for record this 29th day of September A. D. 1874.
A. G. Martin,
Cl'k. D. C. A. Co.

The State of Texas)
:
County of Atascosa.) I, H. G. Martin, Clerk of the County Court in and for said Atascosa County, Texas, do hereby certify that the above and foregoing is a true and correct copy of the marriage license of Jeremiah Goins and Sarah Alice Smith and the return of the officer executing the same , as both of which now appear of record in marriage record No. 2 of said County on page 139.

Given under my hand and seal of said Court at office in Pleasanton this the 2nd day of July A. D. 1900.

[redacted]

H. G. Martin
Clerk County Court of
Atascosa County, Texas.

Muskogee, Ind. Ter., February 20, 1901.

W. C. Southward,

Naples, Ind. Ter.

Dear Sir:-

In the judgment of the United States Court at Ardmore, admitting you and other to citizenship in the Choctaw Nation, there appears the names of Mrs. Josephine Priest and her children by her first marriage, Adella, Perline, Anso, Wm.Martin, Josephine,and Clara Taylor. The original application in this case made to the Commission in 1896 shows that Mrs. Josephine Priest is the granddaughter of Jeremiah Goins, and daughter of Hanson Goins. The records of the Commission do not show that application has been made for the enrollment of Mrs. Priest and her children in 1899 or since that time, and the Commission would thank you to furnish it any information you may possess of these parties, their present whereabouts, etc., There is enclosed you herewith an envelope for reply; the envelope will not require a stamp.

Yours truly,

Acting Chairman.

Enc.
Chas.Ot.Case
No.Dist #197

Cloc 5165 Rowden Gans

see Cloc # 1301

5165

Commission to the Five Civilized Tribes,

Ohiva, Indian Territory.

In the enrollment of Reuben Goings as a Choctaw by blood; being sworn and examined by Com'r McKennon he testifies as follows:

Q What is your name? A Reuben Goings.

Q What is your age? A About fifty-five.

Q You have never been enrolled upon the Choctaw roll? A No sir. I have always lived in the Chickasaw country.

Q (Choctaw Com'r Lewis) You didn't draw any money in 1893 did you? A Yes sir.

Q What roll do you appear on? A On the Chickasaw rolls

Q You drawed as a Chickasaw? A Yes sir, drawed with the Chickasaws.

Q (Com'r McKennon) You are a Chickasaw if anything?

A Yes sir.

Q But have never been on the Chickasaw rolls? A No sir.

Enrollment is refused.

Department of the Interior,
Commission to the Five Civilized Tribes.

I hereby certify, upon my official oath as stenographer to above named Commission, that this transcript is a true, full and correct translation of my stenographic notes.

M D Green

Commission to the Five Civilized Tribes,

Calvin, Indian Territory,

In the Enrollment of Reuben Geins and child as Choctaws;being sworn and examined by Comr McKennon He testifies as follows:

Q What is your name? A Reuben Geins.

Q How old are you? A About fifty-six.

Q Where have you been living? A I have been living on the Washita.

Q How long? A About twenty-three or four years.

Q In what Nation? A In Pontotoc county, Chickasaw Nation. I live at Purcell now.

Q You have been living in the Chickasaw Nation all this time? A Yes sir.

Q Haven't lived anywhere else? A No sir.

Q Where is this daughter of yours; you say she is now in Texas? A She has been there about Austin, Texas.

Q How long? A About five years.

Q All the while? Yes sir.

Q Before that time where did she live? A In Texas.

Q How long has she been living in Texas? A She was born and raised in Texas and never lived here. Her mother died in Texas.

Q Was her mother a white woman? A Yes sir.

Department of the Interior,
Commission to the Five Civilized Tribes.

I hereby certify upon my official oath as stenographer to above named Commission, that this transcript is a true, full and correct translation of my stenographic notes.

M D Lemeen

Y-5168

Muskogee, Indian Territory, July 23, 1904.

Reuben Goins,

Purcell, Indian Territory.

Dear Sir:

You are hereby notified that before any further action can be taken in the matter of your application for enrollment as a citizen by intermarriage of the Chickasaw Nation, it will be necessary for you to give testimony relative to your intermarried status on September 25, 1902. For this purpose you are requested to appear before this Commission as soon as possible at its office in Muskogee, Indian Territory, or at the Land Office at Atoka, Indian Territory, on September 6 or 7, 1904, or at the Land Office at Tishomingo, Indian Territory, on September 8 or 9, 1904, where such testimony will be heard.

Respectfully,

Commissioner in Charge.

9-1825

Muskogee, Indian Territory, August 25, 1906.

Chief Clerk,

Chickasaw Land Office,

Ardmore, Indian Territory.

Dear Sir:

There is inclosed you herewith copy of name and information this day placed upon Chickasaw roll card No. 1825.

You are directed to make duplicate of this card in your possession conform to the information thereon, and add the name of this citizen to your list of undetermined applicants for enrollment in the Chickasaw Nation.

Respectfully,

KB 4-26

Commissioner.

P-1825

Muskogee, Indian Territory, August 25, 1905.

Chief Clerk,

Choctaw Land Office,

Atoka, Indian Territory.

Dear Sir:

There is inclosed you herewith copy of name and information this day placed upon Chickasaw roll card No. 1825.

You are directed to make duplicate of this card in your possession conform to the information thereon, and add the name of this citizen to your list of undetermined applicants for enrollment in the Chickasaw Nation.

Respectfully,

KB 8-25

Commissioner.

9-1825

Muskogee, Indian Territory, March 12, 1906.

J. W. Hooker,

Attorney at Law,

Purcell, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of March 7, 1906, inclosing motion for transfer of the records in the matter of the application for the enrollment of Reuben Goins as an intermarried citizen of the Chickasaw Nation, in order that this case may be heard at the Chickasaw Land Office at Ardmore, Indian Territory, prior to March 17, 1906.

In reply to your letter you are advised that the appointment at Ardmore, Indian Territory, is solely for the purpose of taking testimony in certain applications for identification as Mississippi Choctaws under Departmental instructions, and as the enrollment records are all in this office it is impracticable to hear testimony in support of the application of Reuben Goins at that time and place.

You are further advised that on February 28, 1906, a decision was rendered refusing the application of Reuben Goins for enrollment as an intermarried citizen of the Chickasaw Nation and on the same date the record in this case, with the decision was

J. W. H. #2

transmitted to the Secretary of the Interior and this office has not yet been advised of Departmental action thereon.

Respectfully,

Acting Commissioner.

9-1828

Muskogee, Indian Territory, April 4, 1906.

J. W. Hocker,

Purcell, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of March 31, 1906, inclosing petition for appeal in the matter of the application of Reuben Goins for enrollment as an intermarried citizen of the Chickasaw Nation and the same has been transmitted to the Secretary of the Interior in accordance with your request.

Respectfully,

Acting Commissioner.

7-5165

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, INDIAN TERRITORY, NOVEMBER 18, 1904.

In the matter of the application of Reuben Goins for enrollment as a citizen by intermarriage of the Chickasaw Nation.

Reuben Goins having been first duly sworn upon his oath testified as follows:

Examination by the Commission.

Q What is your name? A Reuben Goins.
Q What is your post office address? A Purcell.
Q Chickasaw nation? A Yes sir in the Chickasaw Nation.
Q How long have you resided in the Chickasaw Nation? A About 25 or 30 years.
Q You applied to the Commission as a citizen by blood of the Choctaw Nation didn't you? A Yes sir.
Q You were denied by the Choctaw and Chickasaw Citizenship Court as a citizen by blood of the Choctaw Nation? A Yes sir.

Applicant is denied as a citizen by blood of the Choctaw Nation in case number 31 on the Tishomingo docket on June 29, 1904.

Q Are you an intermarried Chickasaw? A Yes sir my wife is a Chickasaw.
Q Through whom do you claim your right as an intermarried citizen of the Chickasaw Nation? A Through my wife Susan Goins; her name was Susan Thomas before I married her; she was called Sukey Thomas by the full bloods.
Q When were you married to her? A June 12, 1877.
Q By whom were you married? A I was married by Squire Wolfe.
Q What was he? A He was a full blood Indian.
Q What position did he hold? A He was County and Probate Judge down there.
Q Were you her first husband? A Yes sir.
Q Was she your first wife? A No sir I was married once before.
Q What was your first wife's name? A Matilda.

Q Was she dead when you married Susan Thomas? A Yes sir she was dead.
Q Was that the only time you were married before you married Susan Thomas? A Yes sir.
Q At the time you were married to Susan Thomas where were you living? A I was living down on the Washita near Davis.
Q In the Chickasaw Nation? A Yes sir.
Q How long had you been livng in the Chickasaw Nation at the time of your marriage to Susan Thomas? A About a year or a year and a half.
Q Where did you live before that? A I lived in Texas.
Q Did you obtain a tribal license when you married Susan Thomas? A No sir they said I didn't need it; said I was an Indian by blood and I didn't heed a license
Q You just got a certificate? A Yes sir I just got a certificate and they put it on the files. Judge Wolfe said that was all I need to do.

The applicant offers in evidence the marriage certificate showing the marriage of Reuben Goins and Sukey Thomas on the 12th day of June 1877.

Q Is the Sukey Thomas mentioned in this certificate the same woman as Susan Thomas who is now your wife? A Yes sir.
Q This Reuben Goins mentioned in this certificate is yourself is it? A Yes sir.

Susan Goins through whom the applicant claims his right as an intermarried citizen of the Chickasaw Nation is identified on Chickasaw field card 1301 and number 3736 upon the final roll of Chickasaws by blood approved by the Secretary of the Interior December 12, 1902.

Q Have you and Susan Thomas lived together as husband and wife since you marriage in June 1877 up to the present time? A Yes sir and we are living together now when I am at home
Q You have lived all the time in the Chickasaw Nation? A Yes sir in the Chickasaw Nation.

Mattie V. Vaughn states upon oath that as stenographer to the Commission to the Five Civilized Tribes she correctly recorded the testimony in the above entitled cause and that the foregoing is an accurate transcript of her stenographic notes thereof.

Mattie V. Vaughn

Subscribed and sworn to before me this 18th day of November 1904.

Truman L. Bugg
Notary Public.

Department of the Interior.
Commissioner to the Five Civilized Tribes.

In the matter of the applicatio
of Reuben Goins for enrollment
as a citizen of the Chickasaw
Nation.

M O T I O N .

Comes now the applicant, Reuben Goins, by his attorney, J. W. Hocker, and requests that final action be not taken by the Commissioner to the Five Civilized Tribes, in the above entitled matter, until he shall have opportunity to introduce further testimony herein touching his right to enrollment as a citizen of the Choctaw and Chickasaw Nations.

The applicant further requests that the records in the matter of his application be transferred to the Chickasaw Land Office at Ardmore- Indian Territory, prior to the 17th day of March, 1906, in order that he may introduce certain witnesses before the Commissioner to the Five Civilized Tribes in the above matter, on said date at said place. The applicant further states that Ardmore, Indian Territory, is much nearer the home of said witnesses than Muskogee, Indian Territory, and the hearing of the testimony of said witnesses at Ardmore, Indian Territory would save a great deal of expense.

Applicant further states that he has served the attorneys for the Choctaw and Chickasaw Nations with notice of the taking of said testimony at said time and place, a copy of said notice together with affidavit of service being hereto attached.

J. W. Hocker
Attorney for Applicant

Department of the Interior.
Commissioner to the Five Civilized Tribes.

To Mansfield, McMurray & Cornish,
Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

You are hereby notified that on March 17, 1906, at the Chickasaw Land Office, at Ardmore, Indian Territory, there will be offered before the Commissioner to the Five Civilized Tribes testimony on behalf of the applicant, in the matter of the application of Reuben Goins for enrollment as a citizen of the Chickasaw Nation.

Dated at Purcell, Indian Territory, March 7, 1906.

J. W. Hocker
Attorney for applicant.

Indian Territory,
Southern District ss.

J. W. Hocker, being first duly sworn, upon his oath states that he is attorney for the applicant Reuben Goins, and that on the 7th day of March, 1906, he mailed a true copy of the above notice, addressed to Mansfield, McMurray & Cornish, attorneys for the Choctaw and Chickasaw Nations, South McAlester, Indian Territory, and that said notice was registered to said firm, and the attached registry receipt is the receipt from the postmaster at Purcell, Indian Territory for said registered notice.

J. W. Hocker

Subscribed and sworn to before me this 7th day of March, 1906.

[illegible] Straight
Notary Public, Southern
District, I. T.

7-3579

Department of the Interior,
Commission to the Five Civilized Tribes,
Atoka, I. T. Dec. 4, 1900.

In the matter of the enrollment of Reuben Goins as a citizen of the Choctaw Nation. J. W. Cherryholmes being duly sworn by Acting Chairman Bixby, testified as follows:

Examination by the Commission.

Q What is your name? A J. W. Cherryholmes.
Q What is your age? A Forty six.
Q Are you a resident of the Chickasaw Nation? A Yes sir.
Q Where do you live? A Purcell.
Q Do you know Reuben Goins? A Yes sir.
Q A man about fifty five or sixty years of age? A Yes sir.
Q The 1897 Chickasaw rollcontains the name of Rube Goins as an intermarried citizen residing in Pontotoc County. Did Mr. Goins ever claim to be an intermarried citizen of the Chickasaw Nation?
A Yes sir.
Q That was prior to the time he applied to the Dawes Commission in 1896 as a Choctaw by blood? A Yes sir.
Q Mr. Goins was admitted to citizenship in the Choctaw Nation by judgment of the United States Courts as a Choctaw. Now is the Reuben Goins admitted to citizenship in the Choctaw Nation the identical person as Rube Goins who appears upon the Chickasaw roll as an intermarried citizen of the Chickasaw Nation? A Yes sir.
Q Who did he marry? A He married a lady by the name of Thomas. I think I can give you her maiden name in a moment. Susan Thomas.
Q Were any of Reuben Goins children by this Chickasaw woman admitted to citizenship? A Yes sir.
Q As Choctaws? A No sir, as Chickasaws.
Q She is dead? A No sir, she's living.
Q Who is Mat[illegible]da Goins? A I don't know, that might be his wife. They call her Susie or Suke and I don't know whether ---
Q Mr. Goins has a daughter who was admitted to citizenship in the Choctaw Nation with him by the name of Cordelia? A Oh those were children by his first wife.
Q They are non citizens? A Yes sir. He was married before he married his present wife.

By Choctaw Commission Murray.

Q Who was Susan Thomas? A She isa neice of Nelson Chigley and a sister to Charlie Thomas.
Q Charlie Thomas or Jim? A Charlie, spells his name C-h-a-r-l-i-e. Lived there at Davis a long time. Full blood Indians I reckon. They [illegible]te to be and look like it.

By the Commission.

Q [illegible] Mr. Goins always recognized by the Chickasaw tribal authorities as an intermarried citizen? A Yes sir always has been.
Q When did he first claim to have Choctaw blood? A When the case of Robert Goins et. al was filed, I think they just included his name in the petition.
Q Wasn't he a party to the original application himself? A Yes sir.
Q Did he authorize his name to be placed there? A I don't know about that. I know his name is in the application as a Choctaw Indian by blood.

J. W. Harrington, Jr.

Indian Added Who is enrolled on Choctaw roll opposite No. [illegible] Number of the Choctaw Nation by [illegible] Court for the Southern District of the Indian Territory, is identical as the Indian Allottee of such name who is enrolled as the Choctaw Indian, Pontotoc County, as a citizen by intermarriage.

Myra Young having been first duly sworn, upon her oath states that she is stenographer to the Commission to the Five Civilized Tribes and that the foregoing is full all proceedings had in the above entitled cause on the 5th day of December, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Myra Young.

Subscribed and sworn to before me this 5th day of December, 1900.

Acting Chairman.

Commission to the Five Civilized Tribes,

Calvin, Indian Territory.

In the enrollment of Mary Goins as a freedman;Reuben Goins being sworn and examined by Com'r McKennon testifies as follows:

Q Where has your daughter Mary been living? A In Austin, Texas, last I ever heard of her; she never has lived in the Territory .

Department of the Interior,
Commission to the Five Civilized Tribes.

I hereby certify, upon my official oath as stenographer to above named Commission, that this transcript is a true, full and correct translation of my stenographic notes.

M D Green

MORRISON & WALLACE,
ATTORNEYS-AT-LAW,
ROCKDALE, MILAM, CO., TEXAS.

W. A. MORRISON.
E. A. WALLACE.

Jany 19, 1900

We will charge Mrs. Mary Baldy the sum of $25.00 for our fee to sue for her a divorce - We will expect that $10.00 of this will be paid us advance and the balance when the case goes to trial - We estimate that the Court Costs will be $10.00 in addition to our fee - If her husband lives to be cited by publication the will have to pay for the News-paper publication, which we think can be done for $5.00 -

Morrison & Wallace
by EW

Muskogee, Indian Territory, July 10, 1901.

Mrs. Mary Lynch,

Owl, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of the 1st instant, in which you desire to be informed if you have been enrolled as a citizen of the Choctaw Nation. You state in your letter that your maiden name was Mary Goins, the daughter of Reuben Goins, and that you was on February 19, 1901, married to Washington Lynch.

Replying to your letter, you are informed that the records of the Commission show that on September 23, 1898, Reuben Goins, 57 years of age, and his two daughters, Mary and Cordelia Goins, were listed for enrollment as citizens of the Choctaw Nation in pursuance of a judgment of the United States Court for the Southern District of the Indian Territory, rendered at Ardmore, I. T., December 21, 1897, in Court Case No. 137.

From the statement in your letter it appears that you have subsequent to the time you were listed for enrollment married. You are, therefore, requested to furnish the Commission with either the original, or certified copy of your marriage license and certificate to Washington Lynch, so that the same may be authority

[illegible]

For the drawing of rations from our records from your enrolled [illegible] of Indians by your superintendent of Creeks.

You are also requested to inform the Commissioner if your father-in-law is a white man, or if he enjoys rights to citizenship in any of the Nations of the Indian Territory.

Very truly,

Commissioner in charge.

T-6163

Muskogee, Indian Territory, August 6, 1901.

Mrs. Mary Lynch,
Owl, Ind. Ter.

Dear Madam

Receipt is hereby acknowledged of your letter of the 1st instant, enclosing a certified copy of the marriage license and certificate between Bruce Dalbea and Mary Goins, dated June 29 1892, and the original marriage license and certificate between Washington Lynch and Mary Valley, dated January 30 1901, and the same have been filed with the records of the Commission.

It appears from the statements contained in your letter that you have been married twice, but you do not state whether your first husband is living or not, and you are requested to inform this office relative thereto.

Yours truly,

T-5165 Commissioner in Charge.

Muskogee, Indian Territory, August 16, 1901.

Mrs. Mary Lynch,
Ord, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of the 13th instant, in which you state that you were, at the October term 1900, of the district court for Milam county, Texas, divorced from your former husband, Bruno Walden, and that you can supply this Commission with a certified copy of the divorce proceedings, if necessary.

You are informed that in order to perfect the records in relation to your application for enrollment, evidence of your divorce should be filed with the Commission. You are requested to give this matter your prompt attention.

Yours truly,

7-8168

Commissioner in Charge.

Muskogee, Indian Territory, August 26, 1901.

Mrs. Mary Lydon,

Owl, Ind. Ter.

Dear Madam:

Receipt is hereby acknowledged of your letter of the 21st instant enclosing a certified copy of the decree of divorce between Mary Valdez and Bruno Valdez, and the same has been duly filed with the records of the Commission.

Yours truly,

7-3156

Commissioner in Charge.

W. A. MORRISON. S. A. WALLACE.
Morrison & Wallace.
Attorneys at Law.
Rockdale, Milam Co., Texas.

Sept. 4, 1901.

Mrs. Mary Lynch Owl,

Owl, Indian Territory.

Dear Madam:-

In reply to your valued favor of the 1st. inst we beg to reply that we regret that discrepancy between the Names of Valdez and Baldez. However we cannot help the matter as we had no way of knowing the true name, and our Mr. Morrison is positive that you are mistaken as to the name you gave. Moreover all of your witnesses said his name was Valdez and the writer remembers making inquiry as to the correctness. We beg to call your attention to the fact th t you did not know anything about the spelling of the name, and, it being Spanish, we knew nothing about it except as we could get information from the people who knew him. We would further call your attention to the fact that you had no marriage license and we had had to go upon what information we had.

I know of no way except a new diecree unless you could show the commissioner that the name of Baldez and Valdez are idem sonans which would be the rule in this state. Send this letter to the commissioner, and perhaps it will assist you. If you desire, and it will be of use, we can procure affidavits that your former husband went under the name of Valdez, and this you could supplement by affidavits that he is the same party you married. I know nothing of the prosedure in the matter you refer to, and, therefore, are not in the position to do more than suggest these matters to you.

I refer you th the reported case of Fleming vs Gibbney, 81 Tex. 427 (17 S.W.Rep. 13), Tevis vs Collier, 84 Texas 629 (19 S.W. 801) Russell vs. Oliver, 78 Texas 18 (14 S.W. 264) and authorities there cited.

By sending this letter to the party you name you may procure some suggestion that will enable us to help you. Truly yours Morrison & Wallace

Choctaw 2468

Muskogee, Indian Territory, March 5, 1902.

Mary Lynch,

Ada, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of February 17, 1902, enclosing letter of January 19, 1900, from Messrs. Morrison & Wallace, Attorneys at Law, Rockdale, Texas, relative to the securing of the divorce for Mrs. Mary Baldez and also a letter from Morrison & Wallace of September 5, 1901 relative to the discrepancy between the names of Valdez and Baldez in the decree of divorce granted you from Bruno Valdez.

In your letter you advise the Commission that the proper name of your former husband was Baldez and submit the letters of Messrs. Morrison & Wallace in explanation of the error. The same have this day been duly filed with the records in the matter of your application for enrollment as a citizen of the Choctaw Nation and will receive the consideration of the Commission in the disposition of such application.

Yours truly,

Commissioner in Charge.

Choctaw 5165

Muskogee, Indian Territory, November 10, 1902.

Mary Lynch,

Allen, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of the 3rd instant, relative to your right to enrollment as a citizen of the Choctaw Nation and in which you desire to be advised if the Commission has rendered a decision in your case.

In reply to your letter you are advised that it appears from our records that on September 23, 1898, Mary Goins, 26 years of age, the daughter of Reuben Goins, was listed for enrollment by this Commission as a citizen of the Choctaw Nation, having been admitted to such citizenship by a judgment of the United States Court for the Southern District of the Indian Territory, rendered at Ardmore, Indian Territory, on December 21, 1897 in Choctaw citizenship case No. 127.

On September 25, 1902, there was ratified by the citizens of the Choctaw and Chickasaw Nations, an agreement which now governs this Commission in the preparation of the rolls of citizens of the Choctaw and Chickasaw Nations and the allotment of the lands of these two tribes.

? L 2

There was created by this agreement a court to be known as "The Choctaw and Chickasaw Citizenship Court" for the purpose of determining the rights of persons to participate in the distribution of the tribal property of the Choctaw and Chickasaw Nations, who were admitted to citizenship in these two tribes by the United States Courts in Indian Territory, under the provisions of the act of Congress of June 10, 1896.

This agreement further provides, that

"No person claiming right to enrollment and allotment and distribution of tribal property, by virtue of a judgment of the United States court in the Indian Territory under the act of June 10, 1896 (29 Stats., 321), and which right is contested by legal proceedings instituted under the provisions of this agreement, shall be enrolled or receive allotment of lands or distribution of tribal property until his right thereto has been finally determined."

The Commission cannot advise you relative to the probable action to be taken by the recently created Choctaw-Chickasaw Citizenship Court and until the final disposition of the question submitted to such court, this Commission cannot enroll you as a citizen of the Choctaw Nation or make any allotment of the tribal property of the Choctaw and Chickasaw Nations.

Respectfully,

Acting Chairman.

Choctaw 5148
5164,5165.

Muskogee, Indian Territory, January 6, 1903.

G. L. Phillips,

Thackerville, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of December 19, making if James, Randolph, Jerry, Linie and Rube Goins are properly enrolled.

In reply to your letter you are advised that it appears from our records that James Goins, Randolph Goins, Linnie Goins, Jeremiah Goins and Reuben Goins have been listed for enrollment as citizens of the Choctaw Nation pursuant to a judgment of the United States Court for the Southern District of the Indian Territory, at Ardmore, rendered December 21, 1899, in court case , Citizenship Docket, Number 127. The Citizenship Court created under the act of Congress approved July 1, 1902, on December 17, 1902, vacated and set aside all of the said judgments.

Respectfully,

Acting Chairman.

Choctaw 8168

Muskogee, Indian Territory, January 15, 1903.

R. D. Goins,

Bugden, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of December 22, 1902, asking if court claimants will be allowed to [redacted] their lands until their claims are decided; also if said lands be liable for debts contracted by the court claimant, where it has gone into the hands of a receiver. You also ask if the receiver can collect rents for the year 1903.

In reply to your letter you are advised that in the case of those persons who are known as court claimants, the Commission will not, until their rights are determined, allot lands they may hold and on which they may have improvements, not in excess of lawful allotments.

Relative to that part of your letter in which you inquire if land is liable for debt contracted by the court claimant, your attention is invited to the following provision of the act of Congress approved July 1, 1902, which was ratified by the Choctaw and Chickasaw Nations on September 25, 1902:

"Lands allotted to members and freedmen shall not be affected or encumbered by any deed, debt, or obligation of any character contracted prior to the time at which said land may be alienated under this Act, nor shall said lands be sold except as herein provided."

You are further advised that the matter of the collection of rents does not come within thejurisdiction of the Commission and it is therefore impossible to give you any advice in the premises.

Respectfully,

Choctaw 5161
Choctaw 6252.

Muskogee, Indian Territory, January 22, 1906.

Mr. W. D. Goins,
Dugdem, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of January 10th, in which you ask if you are properly enrolled.

In reply to your letter you are advised that it does not appear from our records that any person by the name of W. D. Goins is an applicant to this Commission for enrollment in the Choctaw or Chickasaw Nation. If you will advise the Commission your full name, the names of the other members of your family and when and where you appeared as an applicant for enrollment, the matter of your inquiry will receive further consideration.

Respectfully,

Acting Chairman.

Choctaw 8168

Muskogee, Indian Territory, February 8, 1904.

Malinda A. True,

Tishomingo, Indian Territory,

Dear Madam:

Receipt is hereby acknowledged of your letter of January 15, asking if Rube Goins is on the intermarried roll of the Chickasaw Nation.

In reply to your letter you are advised that Reuben Goins was admitted to citizenship in the Choctaw Nation by a judgment of the United States Court for the Southern District of the Indian Territory, rendered December 21, 1897 in court case, citizenship docket, Number 127.

Respectfully,

Commissioner in Charge.

S-1219
R-3579

Muskogee, Indian Territory, December 3, 1904.

Commissioner in Charge,
Choctaw Land Office,
Atoka, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of November 30, 1904, calling attention to the notation on Chickasaw card number 1219 to the effect that "No. 3 died Aug. 6, 1899. Enrollment cancelled by Department May 24, 1904." Departmental letter furnished your office authorizing the cancellation of the enrollment was dated July 2, 1904, and the notation has been made on the duplicate card in the possession of your office in accordance with this information.

In reply to your letter you are informed that the notation on original Chickasaw card number 1219 as to number 3 should read "Enrollment cancelled by Department July 2, 1904."

Respectfully,

Chairman.

7-5165

Muskogee, Indian Territory, June 17, 1905.

Mary Lynch,

Newburg, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of June 10, 1905, asking the status of your citizenship.

In reply to your letter you are advised that on June 29, 1904 the Choctaw and Chickasaw Citizenship Court denied the citizenship in the Choctaw Nation of Mary Lynch formerly Mary Goins.

If you are not the person referred to and you will give further information as to the names of your parents and the time and place application was made for your enrollment, the matter of your inquiry will receive further consideration.

Respectfully,

Chairman.

7-8168

Muskogee, Indian Territory, August 11, 1906.

A. Good,

Lindsay, Indian Territory.

Dear Sir:-

Receipt is hereby acknowledged of your letter of July 30, 1906, asking if Reuben Goins, Allen Eagon and Joe Eagon have citizenship cases pending before this office.

In reply you are advised that Reuben Goins was an applicant for enrollment as a citizen of the Choctaw Nation, and was denied by the Choctaw and Chickasaw Citizenship Court June 29, 1904, case No. 31 on the Tishomingo docket.

The information contained in your letter is not sufficient to enable this office to identify Allen and Joe Eagon as applicants for enrollment in the Choctaw and Chickasaw Nations.

Respectfully,

Choc 5166 Emily Perrice

5166

Choctaw Court Card C. 211

In the application of Emily Perrice.

Before Commissioner Thompson

W.C.Southward says:

I know Emily Perrice. She has been living in Texas and came here about one month ago. S he came about the middle of August 1898.

George W. Nevils, Ike Perrice, Josephine Perrice, Mary Perrice, Anna Perrice, Alonzo Perrice and Caroline Perrice are all li ving in Texas and have not moved to the Territory.

Ardmore, Sept. 28 1898.

Emily Perrice enrolled.

choc 5167 Susan C. malone

5167

The New Court Card C. 212

IN RE application of Susan C. Malone.

Petition

Susan C. Malone says:

I came from Texas to the Territory Agust 16th 1898.

Ardmore, Sept. 24 1898.

Susan C. Malone

enrolled.

Chc 5168 Susan M. Cartwright

#4-5 Dismissed Jan 19, 1965

5168

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the application for enrollment as citizens by blood of the Choctaw Nation of:

WILLIE L. CARTWRIGHT, ET AL., 7-5168.

Choctaw Court Card C 213

[illegible] application of Susan M. Cartwright and others.

[illegible]

Susan M. Cartwright says:

I removed from Texas to the Territory in August 16th 1898. Winnie L. was born March 2nd 1898.

Susan M. Cartwright
James D. Cartwright
Alonzo A. Cartwright
William L. Cartwright
Winnie L. Cartwright

Ardmore Sept. 24 1898.

enrolled.

7-5168.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Willie L. Cartwright and Winnie L. Cartwright as citizens by blood of the Choctaw Nation.

-----oOo-----

The applicants, Willie L. Cartwright and Winnie L. Cartwright, claim the right to enrollment as citizens by blood of the Choctaw Nation through their mother Susan M. Cartwright.

The right of the applicants' mother, Susan M. Cartwright (as Susan Melissa Cartwright), to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, of December 3, 1904, in case No. 94 upon the Tishomingo docket of said court, it is hereby ordered that the application of Willie L. Cartwright and Winnie L. Cartwright for enrollment as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Chairman.

Muskogee, Indian Territory,

JAN 24 1905

Choctaw 5168

COPY.

Muskogee, Indian Territory, January 24, 1906.

Susan M. Cartwright,

Ardmore, Indian Territory,

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated January 24, 1906, dismissing the application for the enrollment of your minor children, Willie L. Cartwright and Winnie L. Cartwright as citizens by blood of the Choctaw Nation.

Respectfully,

SIGNED:

Tams Bixby

Chairman.

Registered.

Incl. 7-5168

Choctaw 2563

COPY.

Muskogee, Indian Territory, January 24, 1906.

Mansfield, McMurray & Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission dated January 24, 1906, dismissing the application for the enrollment of Willie L. Cartwright and Winnie L. Cartwright as citizens by blood of the Choctaw Nation.

Respectfully,

ENCLOSED

Tams Bixby

Chairman.

Incl. 7-5168

Muskogee, Indian Territory, February 9,1900.

Mr. A. M. Oliphant,

Tishomingo, Indian Territory.

Dear Sir:

Replying to your letter of February 5, in regard to the right of one Mrs. S. M. Cartright to hold land in the Choctaw or Chickasaw Nation, you are informed that Mrs. Cartright is properly listed for enrollment as a Choctaw citizen. The statement that she is a citizen of Texas does not seem to be borne out, in that her testimony given before the Commission states that she removed from Texas to the Indian Territory for the purpose of becoming a bona fide citizen August 16, 1898.

Yours truly,

Acting Chairman.

Muskogee, Indian Territory, February 20,1900.

Mr. A. P. Oliphant,

Tishomingo, Indian Territory.

Dear Sir:

Replying to your letter of February 5, in regard to the right of Mrs. E. W. Cartright to hold land in the Choctaw or Chickasaw Nation, you are informed that Mrs. Cartright has been listed for enrollment as a citizen of the Choctaw Nation in accordance with the decree of the United States Court at Ardmore, December 21, 1899, page Number 3136, admitting her to citizenship in the Choctaw Nation.

In your letter you state that she is a citizen of Texas, and in her testimony given before the Commission at Ardmore in September, 1899, her sworn statement is that she removed from Texas to the Territory, August 16, 1898. If she is now a resident of Texas the Commission desires to be informed of this fact, and any information that you may give on the subject will be appreciated.

Yours truly,

Acting Chairman.

Choctaw 5168

Muskogee, Indian Territory, November 10, 1902.

J. G. Anderson,

Comanche, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 2nd instant, addressed to the Secretary of the Interior, Washington, D. C., and which has been by him referred to this Commission for consideration and appropriate action.

Therein you desire to be advised if a court claimant can rent and control land in the Choctaw-Chickasaw country the coming year the same as has been done heretofore.

In reply to your letter you are advised that the renting of land in the Choctaw and Chickasaw Nations is a matter not within the jurisdiction of this Commission.

You are further advised that on September 25, 1902, there was ratified by the citizens of the Choctaw and Chickasaw Nations, an agreement which now governs this Commission in the preparation of the rolls of the citizens of the Choctaw and Chickasaw Nations and the allotment of the lands of these two tribes.

There was created by this agreement a court to be known as "The Choctaw and Chickasaw Citizenship Court" for the purpose

of determining the rights of persons to participate in the distribution of the tribal property of the Choctaw and Chickasaw Nations, who were admitted to citizenship in these two tribes by the United States Courts in Indian Territory, under the provisions of the act of Congress of June 10, 1896.

This agreement further provides, that

"No person claiming right to enrollment and allotment and distribution of tribal property, by virtue of a judgment of the United States court in the Indian Territory under the act of June 10, 1896 (29 Stats., 321), and which right is contested by legal proceedings instituted under the provisions of this agreement, shall be enrolled or receive allotment of lands or distribution of tribal property until his right thereto has been finally determined."

The Commission cannot advise you relative to the probable action to be taken by the recently created Choctaw and Chickasaw Citizenship Court, but until the final disposition of the question submitted to this court, the Commission cannot enroll or make any allotment of tribal property to citizens of the Choctaw and Chickasaw Nations who were admitted to such citizenship by judgments of the United States Court in Indian Territory under the act of Congress of June 10, 1896.

Respectfully,

COMMISSIONERS:
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BREEDLOVE.
WM. O. BEALL,
Secretary.

ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING
Choctaw 5168

Muskogee, Indian Territory, January 24, 1905.

Susan M. Cartwright,

Ardmore, Indian Territory,

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated January 24, 1905, dismissing the application for the enrollment of your minor children, Willie L. Cartwright and Winnie L. Cartwright as citizens by blood of the Choctaw Nation.

Respectfully,

Chairman.

Registered.

Incl. 7-5168

Choctaw Court Card C. 214

In the application of William L. Thomas and others.

for admission.

William L. Thomas says:

I move to the Territory with my family in April 1896 . I went to Texas this Spring and came back with my family August 16th.

Ardmore, Sept. 24 1898.

William L. Thomas
Jesse T. Thomas

enrolled.

Chec 5770 J. H. Hill

STD

Chickasaw Court Card No. 215

IN RE application of J.H.Hill and others.

For Commissioner's Decision

J.H.Hill sayes:

I have been living in the Chickasaw Nation for 3 years continuously.

Ardmore, Sept. 24 1898.

J.H.Hill
Caroline Hill
J.T.Hill
Emma Hill

---

enrolled.

Choc 5171 P.O. stover

1715

Court Card C. 216

Application of P.O.Stover and others.

P.O.Stover says:

Annie was admitted as "Annie B.S

Alice was admitted as "Allie"

Orion was admitted as "Olian"

Hubert was admitted as "Herbett".

I have been living in the Chickasaw Nation 7 years continuously .

Ardmore, Sept. 24 1898.

P.O.Stover
Annie Stover
Luther Stover
Lula Stover
Alice Stover
Orion Stover
Hubert Stovert
Maggie Stover
Lillie Stover

enrolled.

Choctaw 5171

Muskogee, Indian Territory, September 18, 1903.

Luther Stover,

Marlow, Indian Territory.

Dear Sir:

Your letter of August 31, 1903, addressed to the Secretary of the Interior, has been by him referred to this Commission for consideration and appropriate action.

The one you desire to be informed if the lands of the Choctaw-Chickasaw country will be allotted by this time next year and if citizens can hold more than 320 acres.

In reply to your letter you are advised that it is impossible for us to inform you at this time when the allotment of the lands of the Choctaw and Chickasaw Nations will be made.

As to the amount of land each citizen of the Choctaw and Chickasaw Nation is entitled to hold prior to allotment, your attention is invited to the following provision of an act of Congress approved May 27, 1902:

"That the just and reasonable share of each member of the Chickasaw and Choctaw nations of Indians, in the lands belonging to the said tribes, which each member is entitled to hold in his possession until allotments are made, as provided in the Act entitled "An Act for the protection of the people of the Indian Territory, and for other purposes," approved June 28th, 1898, be, and the same is hereby, declared to be 320 acres for each member of the Chickasaw Nation and 320 acres for each member of the Choctaw Nation."

Yours truly,

5172

Clue 5172 Nadbro sm

w Court Card C. 217

Application of Theodore Stover.

Cannon,

P.O.Stover says:

Theodore Stover has been living in the Territory with me.

(See testimony of P.O.Stover, Choctaw Court Card 216).

Ardmore, Sept. 24 1898.

Theodore Stover

enrolled.

-:: NO.71 ::-

MARRIAGE LICENSE.

United States of America,)
The Indian Territory,) SS.
Southern District.)

TO ANY PERSON AUTHORIZED BY LAW TO SOLEMNIZE MARRIAGES --G R E E T I N G :

You are hereby commanded to solemnize the Rite and publish the Banns of Matrimony between Mr, Theodore Stover, of Marlow, in the Indian Territory, aged 21 years, and Miss J. F. Southerland, of Marlow, in the Indian Territory, aged 20 years, according to law, and do you officially sign and return this License to the parties therein named.

WITNESS MY HAND AND OFFICIAL SEAL, This 26 day of Dec., A.D.1896.

(Signed) Joseph W. Phillips,
Clerk of the U.S.Court.

-:: SEAL ::--
By J. W. Speak, Deputy.

CERTIFICATE OF MARRIAGE.

United States of America,)
The Indian Territory,) SS.
Southern District.)

I, J. L. Southward, a Minister of the Gospel,

DO HEREBY CERTIFY, That on the 27 day of December, A.D.1896, I did duly and according to law, as commanded in the foregoing License, solemnize the Rite and publish the Banns of Matrimony between the parties therein named.

Witness my hand and 27 day of Dec., A.D.1896.

My credentials are recorded in the office of the Clerk of the United States Court, Indian Territory, Southern District, Book A, page 71.

(Signed) J. L. Southward, a Minister.

N O T E.-- This License and Certificate of Marriage must be returned to the Office of the Clerk of United States Court in the Indian Territory, from whence it was issued, within sixty days from the date thereof, or the party to whom the License was issued will be liable in the amount of One Hundred Dollars ($100.)

E n d o r s e d :--

"Chickasha 71. Certificate of Record of Marriage.

United States of America,)
The Indian Territory,) SCT.
Southern District.)

I, Joseph W. Phillips, Clerk of the United States Court in the Indian Territory, and District aforesaid,

DO HEREBY CERTIFY, That the license for, and certificate of the marriage of Mr. Theodore Stover and Miss J. F. Southerland were filed in my office in said Territory and District the 6 day of Jan'y., 1897, and duly recorded in Book B of Marriage Record, page 468. WITNESS MY HAND AND SEAL OF SAID COURT AT ARDMORE, This 6 day of Jan'y. A.D., 1897. Joseph W. Phillips, Clerk. 'Filed Jan'y. 6, 1897. Joseph W. Phillips, Clerk.

The United States of America,
Indian Territory,
Southern District.

I, CASWELL BENNETT, a Notary Public within and for the Southern District of the Indian Territory,

DO HEREBY CERTIFY, That the within is a true, full and correct copy of the Marriage License issued to Theodore Stover and Miss J. F. Southerland by Joseph W. Phillips, Clerk of the United States Court for said Southern District of Indian Territory, together with the Certificate of Marriage, and endorsements thereon.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal, this 18th day of August, 1897.

Caswell Bennett

Caswell Bennett

Notary Public, Southern District, Indian Territory.

Indian Territory,)
Chickasaw Nation.) The affiant, Moran Scott, upon oath, says :--

That he is postmaster at the town of Ardmore, I.T., and that he did on the 24th day of August, 1897, register a letter delivered to him by W.T.,A.C.& Lee Cruce addressed to Governor Green McCurtain, at San Bois, I.T., containing a true copy of the application of Josie Stover, et al, for citizenship, vs. Choctaw Nation; also, a true copy of the marriage license under which Theodore Stover was married to J.F.Southerland, -said registered letter being No. 162

Moran Scott

Subscribed and sworn to before me by Moran Scott, this 24 day of August, 1897.

Carroll Hemmons

Notary Public, Southern Dist.I.T.

United States laws at Marlow, in the Chickasaw Nation, Indian Territory, on the 27th day of December, 1896, and are now living together as husband and wife.

They file herewith their said marriage license, together with the certificate and endorsements thereon made, and make them a part of this application.

They say that by reason of said marriage, and the facts herein alleged, the applicant, Josie Stover, whose maiden name was Josie Southerland, is an intermarried Choctaw citizen, and should be enrolled as such.

WHEREFORE, They pray that the said Josie Stover be enrolled as an intermarried Choctaw citizen, and for all other proper relief.

W. A. & A. C. Lee Cruce

Attorneys for applicants.

BEFORE THE COMMISSION TO THE FIVE CIVILIZED TRIBES OF INDIANS,

AT FORT GIBSON, I.T.

Josie Stover, and
Theodore Stover, hur husband, ...Plaintiffs,

vs. No_____

Choctaw Nation, ...Defendant.

APPLICATION FOR CITIZENSHIP.

The plaintiffs say that they are husband and wife, and are living in the Chickasaw Nation, Indian Territory, and that Marlow, I.T. is their post office address.

They say that the plaintiff, Theodore Stover is a Choctaw Indian by blood, and that he is a member of the Choctaw tribe of Indians, and is entitled to all the rights and privileges as such, and that his right and blood has been proven and established in the United States Court for the Southern District of the Indian Territory, at Ardmore, upon an appeal take from the decision of the Dawes Commission.

They say that the said Theodore Stover, and the applicant, Josie Stover (nee Southerland) were duly and lawfully married under the United States laws at Marlow, in the Chickasaw Nation, Indian Territory, on the 27th day of December, 1896, and are now living together as husband and wife.

They file herewith their said marriage license, together with the certificate and endorsements thereon made, and make them a part of this application.

They say that by reason of said marriage, and the facts herein alleged, the applicant, Josie Stover, whose maiden name was Josie Southerland, is an intermarried Choctaw citizen, and should be enrolled as such.

WHEREFORE, They pray that the said Josie Stover be enrolled as an intermarried Choctaw citizen, and for all other proper relief.

W. A. Gobble

Attorneys for applicants.

Indian Territory,)
Chickasaw Nation.)

The applicant and affiant, Theodore Stover, upon oath, says that the statements made in the within application are true.

Theodore S. Stover.

SUBSCRIBED AND SWORN TO BEFORE ME BY THEODORE STOVER,
This the 12th day of August, 1897.

Wm. A. Proctor

Notary Public within and for
the Southern District of the
Indian Territory.

[redacted]

[redacted], N.Y., September 18th., 1896.

Hon. [redacted]
Acting Chairman,
[redacted], N.Y.

Dear Sir:

As directed in your letter of the 15th.inst. I enclose herewith marriage licenses and certificates in the following cases:

[redacted]

In the following cases there are no marriage licenses or certificates attached to the papers:

J.B.Gilbert, et al,
Hannah E.Jones, et al,
W.H.Irving, et al.

There are no papers in this office in the case of Will Kelley.

Very truly yours,

Secretary.

Enc.

Muskogee, Indian Territory, January 24, 1903.

William A. Procter,
Attorney at Law,
Harlow, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 22nd instant, in which you state that Theodore Stover, a member of the Choctaw Tribe of Indians, has married a white woman and desires to have her enrolled as a member of that tribe. You desire to be informed if Stover and his wife will both have to appear before the Commission in order to have the wife enrolled.

Replying to your inquiry you are informed that the rules and regulations of the Commission require the personal appearance of the applicant only and it will therefore not be necessary for Mr. Stover to accompany his wife.

Yours truly,

Acting Chairman.

W-5172

Chc 5173 B.C. Hill

#1-2-3-4-5-6-7-8 Dismissed 12-12-04

5173

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the application for enrollment as citizens of the Choctaw Nation of:

B. C. Hill, et al., 7-5173.

Choctaw Court Card C. 218

In RE application of B?O.Hill and others.

Before Commissioner McKennon

S.C.Hill sayst

I came to the Territory September 1st 1897, and have lived here one year.

Ardmore, Sept. 24 1898.

S.C.Hill
Adelia Hill
Leona Hill
Albert Hill
Ray Hill
Bertha Hill
Mada Hill

enrolled.

Ware.

Application for enrollment

Mada Ware

as a citizen of the

Choctaw Nation

FILED
MAR 28 1900
COMMISSION TO FIVE TRIBES

Choc. 5173

DEPARTMENT OF THE INTERIOR,
Commission to the Five Civilized Tribes.

In the application for Enrollment, as a citizen of the Choctaw Nation,
of [redacted] Hill, born on the 9 day of April, 1897
Name of father: B. C. Hill, ----------, a citizen of the Choctaw
Nation.
Name of mother: Adelia Hill, a citizen of the Choctaw
Nation.
post office: Weedford I. T.

Affidavit of Mother.

United States of America,
Indian Territory,
Southern District.

I, Adelia Hill, on oath, state that I am --------- years
of age and a citizen, by ~~blood~~ Marriage, of the Choctaw
Nation; that I am the lawful wife of B. C. Hill, who is
a citizen, by blood, of the Choctaw Nation; that a
~~girl~~ child was born to me on the 12th day of April,
1897, and that said child has been named Mable Hester Hill,
and is now living.

Adelia Hill.

Subscribed and sworn to before me this 26th day of May, 1900

[illegible]
Notary Public.

Affidavit of attending physician.

UNITED STATES OF AMERICA,
Indian Territory,
Southern District.

I, W. H. Barnett, a Physician, on oath state that I attended on Mrs. Adiha Hill, wife of B C Hill, on the 9 day of April, 1897 that there was born to her on said date a ~~Girl~~ child; that said child is now living and is said to have been named Mary Hollis Hill.

W. H. Barnett M. D.

Subscribed and sworn to before me this 15 day of March, 1900

J. M. Parkin J. P. and
Ex officio Notary Public in
and for Colbert County
Ala.

Application for
Enrollment
Daniel Nell
as a
Choctaw Citizen,
Approved MAY 24 1900

Commissioner

FILED
MAY 24 1900
COMMISSION TO THE FIVE TRIBES

Choc.
C. 218

DEPARTMENT OF THE INTERIOR,

commission to the five civilized tribes .

IN RE Application for Enrollment,as a citizen of the Chactaw Nation of Emmet [illegible] Hill ,born on the 9th day of December 1899.

Name of father B.C.Hill ,citizen of the Chactaw Nation. Name of mother Adelia Hill ,a citizen of the Chactaw Nation.

Post Office Woodford I.T.

affidavit of mother.

UNITED STATES OF AMERICA.)
)
Indian TERRITORY,)
southern district ,)

I Adelia Hill ,on oath ,state that I am 22 years of age and a citizen by marriage ,of the Chactaw Nation ; that I am the lawfull wife of B.C.Hill who is a citizen by bleed of the Chactaw Nation ; that a boy child was born to me on the 9th day of December, 1899; that said child has been named Emmet [illegible] Hill and is now living.

Adelia Hill

Subscribed and sworn to before me this 7th day of February, 1900.

[illegible]

Notary Public.

AFFIDAVIT OF ATTENDING ~~PHYSICIAN~~. Midwife

UNITED STATES OF AMERICA,
Indian Territory,
SOUTHERN DISTRICT.

I ,----------,a Midwife,on oath ,state that I attended on Mrs Adelie Hill ,wife of B.C.Hill ,on the 9th day of December 1899;that there was born to her on said date a boy child; that said child is now liveing and is said to have been named Emmet , [illegible] Hill.

[illegible]

Subscribed and swern to before me this 7th day of febuary 1900

[illegible]

Notary Public.

N.T.
A.C.D.
7-5173.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of B. C. Hill and his six minor children, Leona Hill, Albert Hill, Ray Hill, Bertha Hill, Mada Hill and Emmet Hill, as citizens by blood, and for the enrollment of his wife Adelia Hill as a citizen by intermarriage, of the Choctaw Nation.

----oOo----

It appears from the records of the Commission to the Five Civilized Tribes that on September 9, 1896, in the case entitled "J. M. Hill, et al., vs. Choctaw Nation" (1896 Choctaw Citizenship Docket, case number 1365), original application was made to the Commission, under the provisions of the act of Congress approved June 10, 1896 (29 Stat., 321), for the admission of the applicants B. C. Hill, Leona Hill, Albert Hill, Ray Hill and Bertha Hill as citizens by blood, and for the admission of the applicant, Adelia Hill, as a citizen by intermarriage, of the Choctaw Nation; and on December 8, 1896 said applicants were by this Commission denied admission to citizenship in the Choctaw Nation, the said B. C. Hill, Leona Hill, Albert Hill, Ray Hill and Bertha Hill as citizens by blood, and the said Adelia Hill as a citizen by intermarriage. From this decision of the Commission an appeal was taken to the United States Court for the Southern District of Indian Territory, which court, in the case entitled "J. M. Hill, et al., vs. Choctaw Nation"(Citizenship Case number 149), reversed the decision of the Commission denying said B. C. Hill, Leona Hill, Albert Hill, Ray Hill, Bertha Hill and Adelia Hill admission to citizenship in the Choctaw Nation and admitted said B. C. Hill, Leona Hill, Albert Hill, Ray Hill and Bertha Hill as citizens by blood, and the said Adelia Hill as a citizen by intermarriage, of the Choctaw Nation. The applicant Mada Hill was also admitted as a citizen by blood of the Choctaw Nation by said judgment of said United States Court and subsequently, on January 15, 1900, said court ordered that the names of the applicants Mada Hill and Albert Hill be stricken from the original judgment of said court and that said persons "take no rights to citizenship in the Choctaw Nation, by reason of said judgment".

The applicants Mada Hill and Emmet Hill are the

offspring of the applicants B. C. Hill and Adelia Hill and having been born subsequent to the date of the original application made herein to the Commission in 1896 are identified by proper proof of birth filed with and made a part of the record in this case.

It further appears from the records in the possession of the Commission that on December 17, 1902 the Choctaw and Chickasaw Citizenship Court, created by the provisions of the act of Congress approved July 1, 1902 (32 Stat., 641), "set aside, annulled, vacated and held for naught" the aforesaid judgment of the United States Court for the Southern District of Indian Territory. Said cause has not been appealed or certified to the said Choctaw and Chickasaw Citizenship Court for a trial de novo within the time prescribed by the provisions of said act of Congress approved July 1, 1902.

In accordance with the opinion of the Acting attorney General dated May 9, 1904 (I.T.D. 3824-1904) and the opinion of the Assistant Attorney General for the Department of the Interior dated July 30, 1904 (I.T.D. 5246-1904) the Commission to the Five Civilized Tribes is without authority to take any action of any character looking to the enrollment of B. C. Hill, Leona Hill, Albert Hill, Ray Hill, Bertha Hill, Mada Hill and Emmet Hill as citizens by blood, and Adelia Hill as a citizen by intermarriage, of the Choctaw Nation and it is, therefore, hereby ordered that the application for the enrollment of B. C. Hill, Leona Hill, Albert Hill, Ray Hill, Bertha Hill, Mada Hill and Emmet Hill as citizens by blood, and Adelia Hill as a citizen by intermarriage, of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Chairman.

Muskogee, Indian Territory,

DEC 12 1904

COPY.

7-5173

Muskogee, Indian Territory, December 18, 1906.

J. S. Hill,

Wagoner, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated December 18, 1906, dismissing the application for the enrollment of yourself, your minor children, [redacted] Hill, Albert Hill, Ray Hill, Bertha Hill, Wade Hill and [redacted] Hill as citizens by blood, and your wife Adelia Hill as a citizen by intermarriage, of the Choctaw Nation.

Respectfully,

(SIGNED)
Tams Bixby.
Chairman.

Registered.
Incl. 7-5173.

COPY. 7-8173

Muskogee, Indian Territory, December 13, 1904.

Ledbetter & Bledsoe,

Attorneys at Law,

Ardmore, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated December 12, 1904, dismissing the application for the enrollment of B. C. Hill, Leona Hill, Albert Hill, Ray Hill, Bertha Hill, Mada Hill and Emmet Hill as citizens by blood, and Adelia Hill as a citizen by intermarriage of the Choctaw Nation.

Respectfully,

(SIGNED)

Chairman.

Registered.

Incl. 7-8173.

7-5173

COPY,

Muskogee, Indian Territory, December 13, 1904.

West, Gibbs & Joiner,
Attorneys at Law,
Ardmore, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated December 12, 1904, dismissing the application for the enrollment of B. C. Hill, Leona Hill, Albert Hill, Ray Hill, Bertha Hill, Mada Hill and Emmet Hill as citizens by blood, and Adelia Hill as a citizen by intermarriage of the Choctaw Nation.

Respectfully,

(SIGNED)

Tams Bixby.

Chairman.

Registered.

Incl. 7-5173.

7-5173

COPY.

Muskogee, Indian Territory, December 18, 1904.

Mansfield, McMurray and Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission, dated December 18, 1904, dismissing the application for the enrollment of B. C. Hill, Leona Hill, Albert Hill, Ray Hill, Bertha Hill, Mada Hill and Emmet Hill as citizens by blood, and Adelia Hill as a citizen by intermarriage, of the Choctaw Nation.

Respectfully,

(SIGNED)

Tams Bixby.

Chairman.

Incl. 7-5173.

Chac 5174 J. m. Hill

1-2-3-4-5-6-7-8-9 Dismissed Dec 7, 1904

5174

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the application for enrollment as citizens of the Choctaw Nation of:

J. M. Hill, et al., 7-5174.

Choctaw Court Card C. 219

In the application of J.M.Hill and others.

Before Commissioner McKennon.

J.M.Hill says:

I have been living in the Territory since 1896.

Ardmore, Sept. 24 1898.

J.M.Hill
Amanda Hill
Connie Hill
Grover Hill
Swaney Hill
Myrtle Hill
Philip Hill
Jewell Hill

enrolled.

DEPARTMENT OF THE INTERIOR

Commissioner to the five civilized tribes

IN RE, Application for Enrollment, as a citizen of the Chactaw Nation of Earl Jackson, born on the 28th day of January 1900,---

Name of father: George Jackson, a citizen of the Chactaw Nation.

Name of mother Cennie Jackson, a citizen of the chactaw Nation.

Post Office : New Port I.T.

Affidavit of mother.

UNITED STATES OF AMERICA,
Indian Territory,
Southern Dist.

I Cennie Jackson, --on oath, state that I am 17 years of age and a citizen, by blood, of the Chactaw ---Nation; that I am the lawfull wife of George Jackson ----who is a citizen by marriage, of the Chactaw Nation; that a Girl child was born to me on the 28th day of January 1900 that said child has been named Earl ---Jackson, and is now liveing.

Cennie Jackson

Subscribed and swern to before me this 1st day of febuary 1900

Jas E Hart
Notary Public.

W. R. Laisure M.D.

AFFIDAVIT Of ATTENDING PHISICIAN,

UNITED STATES OF AMERICA,
Indian Territory,
southern District.

I, W. R. Laisure M.D., a Phisician, on oath, state that I attended on Mrs, Cennie Jackson, wife of George Jackson on the 28th day of Januaby 1900, that there was born to her on said date a Girl child; that said child is now liveing and is said to have been named Earl Jackson

W. A. Cline

Subscribed and swern to before me this 1st day of febuary 1900

Jas E Hart
Notary Public.

7-5174.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of J. M. Hill, Connie Jackson, Grover Hill, Swaney Hill, Myrtle Hill, Philip Hill, Jewell Hill and Pearl Jackson as citizens by blood, and for the enrollment of Amanda Hill as a citizen by intermarriage of the Choctaw Nation.

----oOo----

It appears from the records of the Commission to the Five Civilized Tribes that on September 9, 1896 in the case entitled "J. M. Hill, et al., vs. Choctaw Nation" (1896 Choctaw Citizenship Docket, case number 1365) original application was made to the Commission, under the provisions of the act of Congress approved June 10, 1896 (29 Stat., 321), for the admission of the applicants J. M. Hill, Connie Jackson (nee Hill), Grover Hill, Swaney Hill, Myrtle Hill, Philip Hill and Jewell Hill as citizens by blood, and for the admission of the applicant, Amanda Hill, as a citizen by intermarriage, of the Choctaw Nation; and on December 8, 1896 the said J. M. Hill, Connie Jackson, Grover Hill, Swaney Hill, Myrtle Hill, Philip Hill and Jewell Hill as citizens by blood, and the said Amanda Hill as a citizen by intermarriage, were by this Commission denied admission to citizenship in the Choctaw Nation. From this decision of the Commission an appeal was taken to the United States Court for the Southern District of Indian Territory, which court, in the case entitled "J. M. Hill, et al., vs. Choctaw Nation" (Citizenship Case, number 149) reversed the decision of the Commission denying the said J. M. Hill, Connie Jackson, Grover Hill, Swaney Hill, Myrtle Hill, Philip Hill, Jewell Hill and Amanda Hill admission to citizenship in the Choctaw Nation and admitted the said J. M. Hill, Connie Jackson (as Connie Hill), Grover Hill, Swaney Hill, Myrtle Hill, Philip Hill and Jewell Hill as citizens by blood, and the said Amanda Hill as a citizen by intermarriage, of the Choctaw Nation.

The applicant, Pearl Jackson, is a daughter of the applicant Connie Jackson, and George Jackson, a noncitizen, and, having been born subsequent to the date of the original application made herein to the Commission in 1896, is identified by proper proof of birth filed with and made a part of

the record in this case.

It further appears from the records in the possession of the Commission that on December 17, 1902 the Choctaw and Chickasaw Citizenship Court, created by the provisions of the act of Congress approved July 1, 1902 (32 Stat., 641), "set aside, annulled, vacated and held for naught" the aforesaid judgment of the United States Court for the Southern District of Indian Territory. Said cause has not been appealed or certified to the said Choctaw and Chickasaw Citizenship Court for a trial de novo within the time prescribed by the provisions of said act of Congress approved July 1, 1902.

In accordance with the opinion of the Acting Attorney General dated May 9, 1904 (I.T.D. 3824-1904) and the opinion of the Assistant Attorney General for the Department of the Interior dated July 30, 1904 (I.T.D. 5246-1904) the Commission to the Five Civilized Tribes is without authority to take any action of any character looking to the enrollment of J. M. Hill, Connie Jackson, Grover Hill, Swaney Hill, Myrtle Hill, Philip Hill, Jewell Hill and Pearl Jackson as citizens by blood, and Amanda Hill as a citizen by intermarriage, of the Choctaw Nation and it is, therefore, hereby ordered that the application for the enrollment of J. M. Hill, Connie Jackson, Grover Hill, Swaney Hill, Myrtle Hill, Philip Hill, Jewell Hill and Pearl Jackson as citizens by blood, and Amanda Hill as a citizen by intermarriage, of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Chairman.

Muskogee, Indian Territory,

DEC 7 1904

Choctaw 5174

COPY.

Muskogee, Indian Territory, December 7, 1904.

J. M. Hill,

Keller, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated December 7, 1904, dismissing the application for the enrollment of yourself, Connie Jackson, Grover Hill, Swaney Hill, Myrtle Hill, Philip Hill, Jewell Hill and Pearl Jackson, as citizens by blood, and Amanda Hill as a citizen by intermarriage, of the Choctaw Nation.

Respectfully,

(SIGNED)

Tams Bixby

Chairman.

Registered.

Incl. 7- 5174.

Choctaw 5174

COPY.

Muskogee, Indian Territory, December 9, 1904.

West, Gibbs & Joiner,
Attorneys at Law,
Ardmore, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated December 7, 1904, dismissing the application for the enrollment of J. M. Hill, Connie Jackson, Grover Hill, Swaney Hill, Myrtle Hill, Philip Hill, Jewell Hill and Pearl Jackson as citizens by blood, and Amanda Hill as a citizen by intermarriage, of the Choctaw Nation.

Respectfully,

(SIGNED)
Tams Bixby
Chairman.

Registered.
Incl. 7-5174.

Choctaw 5174

COPY.

Muskogee, Indian Territory, December 7, 1904.

Mansfield, McMurray & Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission, dated December 7, 1904, dismissing the application for the enrollment of J. N. Hill, Connie Jackson, Grover Hill, Swaney Hill, Myrtle Hill, Philip Hill, Jewell Hill and Pearl Jackson as citizens by blood, and Amanda Hill, as a citizen by intermarriage, of the Choctaw Nation.

Respectfully,

(SIGNED).

Tams Bixby
Chairman.

Incl. 7-5174.

Copy

Ardmore, I.T. Feb. 3rd. 1900.

To the Hon. Daws Commission

Muskogee, I.T.

Gentlemen:

Inclosed please find application for the enrolling of Pearl Jackson, infant daughter of Mr. & Mrs. George Jackson, Mrs. Jackson is on the roll as Connie Hill, daughter of J. M. Hill. Please give the application official notice.

Very respectfully

West, Gibbs & Joiner.

Muskogee, Indian Territory, February 12,1900.

Messrs West, Gibbs & Joiner,

Attorneys at Law,

Ardmore, Indian Territory,

Gentlemen:

The Commission is in receipt of your letter of February 3, inclosing an application for enrollment as a citizen of the Choctaw Nation of Pearl Jackson, the infant daughter of George and Gennie Jackson. In your letter you state that Mrs. Jackson appears upon the rolls as Gennie Hill, and she has been identified as the daughter of J. M. and Amanda Hill, and the application for enrollment of Pearl Jackson has been duly filed with the records of this Commission.

Yours truly,

Acting Chairman.

Muskogee, Indian Territory, March 1, 1901.

Taylor Persival,

Marlow, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 20th of February relative to a controversy arising between certain citizens in your part of the Chickasaw Nation, Thomas Quillin, William C. Thompson , J. M. Hill and Winburn Jones, as to their right to hold certain land, and also inquiring as to the rights to citizenship and enrollment of these parties .

The Commission has to inform you that it cannot consider or render any opinion as to the rights to possession of any certain tracts of land by citizens of the Choctaw and Chickasaw nations. This is a matter which will properly come before a land office when such is established in the Choctaw-Chickasaw country for the purpose of allowing the citizens of these two nations to make selection of and file upon their allotments.

As to the parties of whom you inquire, our records show that Thomas Quillin, 45 years of age, of Oscar, Indian Territory, appeared before the Commission at Colbert, Indian Territory on June 15th, 1900 and made application for theidentification of himself and his son, Frank Quillin, as Mississippi Choctaws. The Commission now has under consideration this application and will in a short time render a decision, a copy of which will be mailed to Mr. Quillin.

As to Winborn Jones the records of the Commission show that on June 19th, 1900 at Colbert, Indian Territory, Mr. Jones appeared before the Commission and made application for the identification of himself and seven minor children as Mississippi Choctaws. A judgment refusing the application of Mr. Jones and his children was on February 15th, 1901, mailed to him at Marlow, Indian Territory.

The records of the Commission show as to J. M. Hill of whom you inquire, that on September 24th, 1898, J. M. Hill, 51 years of age, together with his wife, Amanda Hill and their minor children, were duly listed for enrollment as citizens of the Choctaw Nation in pursuance of a judgment of the United States Court for the Southern District of the Indian Territory rendered at Ardmore, Indian Territory, March 8th, 1898 in court case No. 149.

As to William C. Thompson, the records of the Commission show that on June 19th, 1900, at Colbert, Indian Territory, William C. Thompson appeared before the Commission and made application for the identification of himself and his wife, his grand niece, Sarah T. Stubblefield and his nephew, William E. Thompson as Mississippi Choctaws. The Commission after a consideration of the testimony offered by Mr. Thompson and the evidence filed in support of his application on February 15th, 1901 rendered a decision refusing the application of William C. Thompson, for the identification of himself, his wife, his niece and his nephew as Mississippi Choctaws. A copy of the decision was mailed to Mr. Thompson at Marlow, Indian Territory on the date above given.

Yours truly,

M C R 341

Acting Chairman.

COMMISSIONERS:
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BREECKINRIDGE.

WM. O. BEALL,
Secretary.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING:
Choctaw 5174

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, December 7, 1904.

J. M. Hill,

Keller, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated December 7, 1904, dismissing the application for the enrollment of yourself, Connie Jackson, Grover Hill, Swaney Hill, Myrtle Hill, Philip Hill, Jewell Hill and Pearl Jackson, as citizens by blood, and Amanda Hill as a citizen by intermarriage, of the Choctaw Nation.

Respectfully,

Chairman.

Registered.

Incl. 7- 5174.

Choc 5175 Ada Bickham

#1-2-3 Dismissed 12-12-1904

5175

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the application for enrollment as citizens by blood of the Choctaw Nation of:

Ada Buchanan, et al., 7-5175.

Choctaw Court Card C. 220

[illegible] application of Ada Bickham and others.

[illegible] Commissioner McKennon

J.M.Hill says:

Ada Bickham has been living in the Territory about one year. She came from Texas.

Ardmore, Sept. 24 1898.

Ada Bickham
Cully Bickham

enrolled.

INDEXED

COMMISSION TO FIVE TRIBES.			
No.	Received	ANSWERED	
		Book	Page
9909			
1900	NOV 17 1900		

West, Gibbs & Joiner
Ardmore, I. T.
Nov. 16-1900.

CHICKASAW

Mnts change made on rolls
of Ada Bickham.

File with Choctaw card #5175.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
NOV 19 1900

CHAIRMAN.

[illegible]
W. H. GIBBS.
J. M. JOINER.

Rooms 1, 2 and 3, City National Bank Building.

WEST, GIBBS & JOINER,
ATTORNEYS-AT-LAW.

ARDMORE, I. T.

Nov 16th 1900

To The Hon- Daws Commission,

Muskoga,

Ind. Tery.

Gentlemen,

in the case of J.M.Hill vs Chactaw Nation, Mrs Ada Bickham, Daughter of J.M.Hill was admitted on the rolls, since then she has married A.M.Buchanan, please make the proper change on the rolls.

very respt yours ,

West Gibbs & Joiner.

Robt. L. West.
W. D. Gibbs.
C. E. Joiner.

Rooms 1, 2 and 3, City National Bank Building.

WEST, GIBBS & JOINER,
ATTORNEYS-AT-LAW.

ARDMORE, I. T., Jan. 22 1901

To the Hon. Daws Commission.

Muskogee Ind. Tery.

Gentlemen:

Inclosed please find application for the enrollment of the infant daughter of A.M.and Ada Buchanan,please give same your official notice.

In reply to yours of january the 10th in reference to the residence of Mr's Buchanan we will state that she has been a resident of Dallas Tex for about twelve months; her residence up to that time (12 months ago)was with her father whos post office address is Woodford I.T. It is Mrs Buchanans intention to make the Territory her perminant residence, she will move here right away, would have been here before this ,but could not get a place without moveing in with her father ,who was very much crowded on account of scarcity of house room .

refet to 7-5175.

very rept yours

West ,Gibbs & Joiner.

INDIAN TERR.

COMMISSION TO FIVE TRIBES.

No.	Received	Answered	
		Book	Page
1148			
1901	JAN 24 1901		

Neal, Gibbs & Jones
Ardmore, I. T.
CHICKASAW
Jan 22 1901

Enclosing birth certificate of Ada Edna Buchanan and giving information rel to Mrs Buchanans residence.

File with Choctaw # 5175.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
JAN 29 1901

ACTING CHAIRMAN.

Marriage License.

.... AND ....

Issued day of 189....

Clerk.

By Deputy.

License and Returns, Recorded

in Marriage Record, No.

Page..

Filed for Record,

12 day of Feb 1900.

A. S. Jackson County Clerk.

By Sam Elliston Deputy.

Recorded Feby 15th, 1900.

A. S. Jackson Clerk

By J. E. Record Dy

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

JAN 5 1901

ACTING CHAIRMAN.

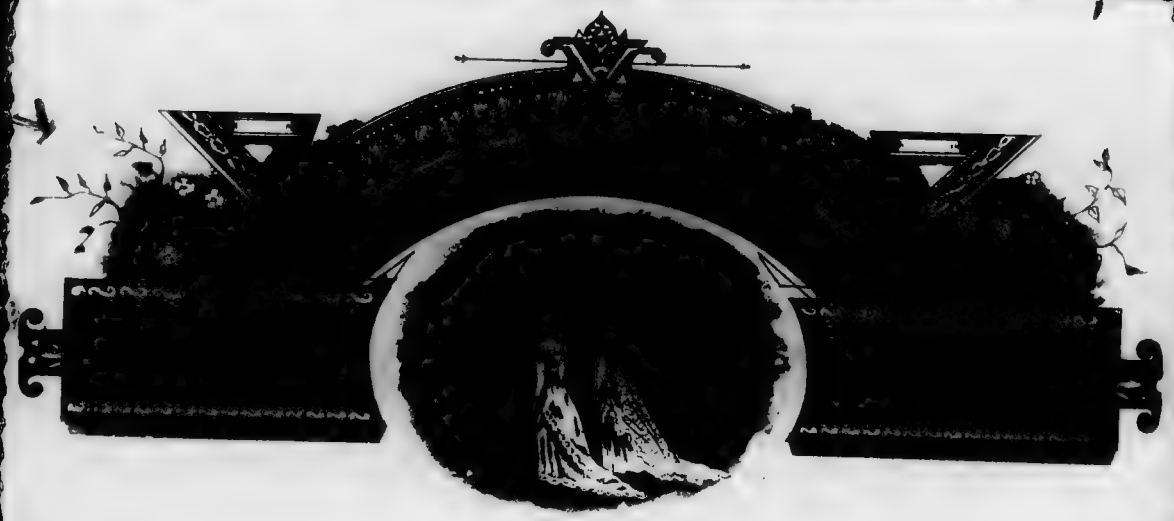
7-5115

THE STATE OF TEXAS,
County of Dallas.

I, A. S. JACKSON, Clerk of the County Court Dallas County, Texas, do hereby certify that the foregoing is a true and correct copy of Marriage License of A M. Buchanan & Add Buchanan as the same appears of record in my office in book No. 5 page 196, Marriage Records of Dallas County Texas.

Witness my hand and seal of office this 22 day Feby 1900.

A. S. JACKSON, County Clerk.
By Fulcrod Dep.



To any Regularly Licensed or Ordained Minister of the Gospel, Jewish Rabbi Judge of the District or County Court, or Justice of the Peace in the State of Texas.

GREETING:

YOU ARE HEREBY AUTHORIZED TO CELEBRATE THE

RITES OF MATRIMONY

Between A. M. Buchanan

and Miss. Ada Bicknam

and make due return to the County Clerk of said County within Sixty days thereafter certifying your action under this License

WITNESS my official signature and seal of office at office in Dallas this 10th day of Feby A. D. ~~189~~ 1900

A. S. Jacuan
Deputy — County Clerk

I W. M. P. Rippey hereby certify that on the 10th day of Feb A. D. ~~189~~ 19 Joined in Marriage A. M. Buchanan and Miss. Ada Bicknam the parties above mentioned Witness my hand this 10th day of Feb A. D. ~~189~~ 19

W. M. P. Rippey
Minister of the Gospel

CHOCTAW.

20 XIX

IN RE

Application for Enrollment of

INFANT CHILD

Ada Edna Buchanan.

as a citizen of

Choctaw Nation.

Approved, JAN 29 1901 190..

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
JAN 29 1901

ACTING CHAIRMAN.

CHOCTAW.
5175.

BIRTH AFFIDAVIT. 20

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Chactaw Nation,

of Ada Edna Buchanan, born on the 3d day of December, 1900

(Here insert name of child.)

Name of Father: A M Buchanan, a citizen of the ..... Nation.

Name of Mother: Ada Buchanan, a citizen of the Chactaw Nation.

Post-office, Dallas Texas

AFFIDAVIT OF MOTHER.

~~UNITED STATES OF AMERICA,~~
~~INDIAN TERRITORY,~~
~~Southern~~ District.

I, Ada Buchanan, on oath state that I am 25 years of age and a citizen, by blood, of the Chactaw Nation; that I am the lawful wife of A M Buchanan, who is a citizen, by marriage, of the Chactaw Nation, that a female (male or female) child was born to me on the 3d day of December 1900; that said child has been named Ada Edna Buchanan, and is now living.

Mrs. Ada Buchanan

WITNESSES TO MARK
(Must be Two Witnesses)
Thos. L. Amacker Sr.
Mrs C. T. Park.

Subscribed and sworn to before me this 17 *day of* January 1901.

J. F. Lewis
NOTARY PUBLIC.
Dallas County Texas

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

~~UNITED STATES OF AMERICA,~~
~~INDIAN TERRITORY,~~
~~District.~~

I, D R P McDermett, a Physician, on oath state that I attended on Mrs. Ada Buchanan, wife of A M Buchanan, on the 3d day of December, 1900; that there was born to her on said date a female (male or female.) child; that said child is now living and is said to have been named Ada Edna Buchanan.

D. R. P. McDermett M. D.

WITNESSES TO MARK:
(Must be Two Witnesses.)
Russell V. Rogers
George J. Bailey

Subscribed and sworn to before me this 17 *day of* January 1901.

J. F. Lewis
NOTARY PUBLIC.
Dallas County Texas

7-5175.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Ada Buchanan and her two minor children Culley Bickham and Ada Edna Buchanan as citizens by blood of the Choctaw Nation.

----oOo----

It appears from the records of the Commission to the Five Civilized Tribes that on September 9, 1896 in the case entitled "J. M. Hill, et al., vs. Choctaw Nation" (1896 Choctaw Citizenship Docket, case number 1365) original application was made to the Commission, under the provisions of the act of Congress approved June 10, 1896 (29 Stat., 321), for the admission of the applicant Ada Buchanan (formerly Bickham) as a citizen by blood of the Choctaw Nation; and on December 8, 1896 the said Ada Buchanan was, by this Commission, denied admission as a citizen by blood of the Choctaw Nation. From this decision of the Commission an appeal was taken to the United States Court for the Southern District of Indian Territory, which court, in the case entitled "J. M. Hill, et al., vs. Choctaw Nation" (Citizenship Case, number 149), reversed the decision of the Commission denying the said Ada Buchanan admission to citizenship in the Choctaw Nation and admitted said Ada Buchanan (as Ada Bickham) as a citizen by blood of said nation.

The applicant Culley Bickham is the offspring of the applicant Ada Buchanan and Culley Bickham, deceased, a noncitizen, and the applicant Ada Edna Buchanan is the offspring of said Ada Buchanan and A. M. Buchanan, a noncitizen. Both the said Culley Bickham and Ada Edna Buchanan were born subsequent to the date of the original application made herein to the Commission in 1896 and their names are not, therefore, embraced in said original application.

It further appears from the records in the possession of the Commission that on December 17, 1902 the Choctaw and Chickasaw Citizenship Court, created by the provisions of the act of Congress approved July 1, 1902 (32 Stat., 641), "set aside, annulled, vacated and held for naught" the aforesaid judgment of the United States Court for the Southern District of Indian Territory. Said cause has not been appealed or certified to the said Choctaw and Chickasaw Citizen-

ship Court for a trial de novo within the time prescribed by the provisions of said act of Congress approved July 1, 1902.

In accordance with the opinion of the Acting Attorney General dated May 9, 1904 (I.T.D. 3824-1904) and the opinion of the Assistant Attorney General for the Department of the Interior dated July 30, 1904 (I.T.D. 5246-1904) the Commission to the Five Civilized Tribes is without authority to take any action of any character looking to the enrollment of Ada Buchanan, Culley Bickham and Ada Edna Buchanan as citizens by blood of the Choctaw Nation and it is, therefore, hereby ordered that the application for the enrollment of Ada Buchanan, Culley Bickham and Ada Edna Buchanan as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Chairman.

Muskogee, Indian Territory,

DEC 12 1904

7-5175.

COPY.

Muskogee, Indian Territory, December 13, 1904.

Ada Buchanan,

Dallas, Texas.

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated December 12, 1904, dismissing the application for the enrollment of yourself, and minor children, Culley Bickham and Ada Edna Buchanan as citizens by blood of the Choctaw Nation.

Respectfully,

Tams Bixby.

Chairman.

Registered.

Incl. 7-5175.

COPY. 7-5175

Muskogee, Indian Territory, December 13, 1904.

West, Gibbs & Joiner,
Attorneys at Law,
Ardmore, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated December 12, 1904, dismissing the application for the enrollment of Ada Buchanan, Culley Bickham and Ada Edna Buchanan as citizens by blood of the Choctaw Nation.

Respectfully,

SIGNED

Tams Bixby.

Chairman.

Registered.
Inal. 7-5175.

7-5175.

COPY.

Muskogee, Indian Territory, December 13, 1904.

Mansfield, McMurray and Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission, dated December 12, 1904, dismissing the application for the enrollment of Ada Buchanan, Culley Bickham and Ada Edna Buchanan as citizens by blood of the Choctaw Nation.

Respectfully,

(SIGNED)
Tams Bixby.
Chairman.

Incl. 7-5175.

Muskogee, Indian Territory, November 19, 1902.

West, Gibbs & Joiner,

Attorneys at Law,

Ardmore, Indian Territory.

Gentlemen:

The Commission is in receipt of your letter of the 16th instant, in which you state that Mrs. Ada Bickham, daughter of J. M. Hill, has married A. M. Buchanan, and in which you request that the proper change be made on the rolls.

You are requested to furnish the Commission with either the original or certified copy of the marriage license between Mrs. Ada Bickham and A. M. Buchanan, as authority for the changing of her name.

Also please state whether or not A. M. Buchanan has been listed for enrollment by this Commission as a citizen of the Choctaw Nation, and if so the time and place he appeared before the Commission for enrollment, the names of other members of his family appearing at the same time, his age, and any other information that may lead to his identification.

Upon receipt of this information and evidence of the marriage of these parties the matter will be given further attention.

Yours truly,

Tribes

Muskogee, Indian Territory, November 23, 1903.

West, Gibbs & Joiner,

Attorneys at Law,

Ardmore, Indian Territory.

Gentlemen:

The Commission is in receipt of your letter of the 16th instant, in which you state that Mrs. Ada Bickham, daughter of J. M. Hill, has married A. M. Buchanan, and in which you request that the proper change be made on the rolls.

You are requested to furnish the Commission with either the original or certified copy of the marriage license between Mrs. Ada Bickham and A. M. Buchanan, as authority for the changing of her name.

Also please state whether or not A. M. Buchanan has been listed for enrollment by this Commission as a citizen of the Choctaw Nation, and if so the time and place he appeared before the Commission for enrollment, the names of other members of his family appearing at the same time, his age, and any other information that may lead to his identification.

Upon receipt of this information and evidence of the marriage of these parties the matter will be given further attention.

Yours truly,

Commissioner.

7-2170

Muskogee, Indian Territory, January 5, 1901.

West, Gibbs & Hudgins,
Attorneys at Law,
Ardmore, Indian Territory.

Gentlemen:

The Commission is in receipt of your letter of the 4th instant enclosing certified copy of the marriage license and certificate between A. M. Buchmann and Mrs. Ada Richman, offered by you for filing.

The same has been duly filed with the records of the Commission as authority for the changing of the name of Ada Richman to Ada Buchmann upon the records of the Commission.

Yours truly,

Acting Chairman.

T-8178

Ardmore, Indian Territory, January 8, 1901.

West, Gibbs & Hodges,
Attorneys at Law,
Ardmore, Indian Territory.

Gentlemen:

The Commission is in receipt of your letter of the 4th [illegible] enclosing certified copy of the marriage license and certificate between A. M. Buchanan and Mrs. Ada Bickman, offered by you for filing.

The same has been duly filed with the records of the Commission as authority for the changing of the name of Ada Bickman to Ada Buchanan upon the records of the Commission.

Yours truly,

Acting Chairman.

7-8274

Muskogee, Indian Territory, January 10, 1901.

West, Gibbs & Reiner,

Attorneys at Law,

Ardmore, Indian Territory.

Gentlemen:

The Commission is in receipt of your letter of the 28th of December, enclosing the application for enrollment as a citizen of the Choctaw Nation of Ada Edna Buchanan, the infant daughter of A. M. and Ada Buchanan, born December 3rd, 1900.

The same is returned to you herewith for the reason that the Commission has for the purpose of making applications for enrollment of infant children, a blank form, one of which is enclosed you herewith, upon which may be stated all the information necessary for the enrollment of an infant child.

The Commission notes that in the application for enrollment of Ada Edna Buchanan, that the post-office address of the parents is given as Dallas, Texas, and the two affidavits, one of the mother and one of the attending physician were acknowledged before a Notary Public of Dallas County, Texas.

The Commission also notes that the marriage between A. M. Buchanan and Mrs. Ada Bickman, the parents of this child for whom application is now made, was solemnized in Dallas, Texas, in February, 1900.

If Mrs. Buchanan is now a resident of the state of Texas, you are requested to inform the Commission as to how long she has

[illegible]

[illegible] [illegible] [illegible] [

Muskogee, Indian Territory, January 30, 1901.

A. M. Buchanan,

Dallas, Texas.

Dear Sir:

The Commission is in receipt of the application for enrollment as a citizen of the Choctaw Nation of Ada Nina Buchanan, the infant daughter of A. M. and Ada Buchanan, born December 3rd, 1900, and the same being in proper form has been duly filed with the records of this Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

7-5175

Acting Chairman.

Muskogee, Indian Territory, January 28, 1901.

West, Gibbs & Joiner,

Ardmore, Indian Territory.

Gentlemen:

The Commission is in receipt of your letter of the 22nd instant giving information relative to the residence of Mrs. Buchanan and enclosing the application for the enrollment as a citizen of the Choctaw nation of Ada Rose Buchanan, the infant daughter of A. M. and Ada Buchanan, born December 3rd, 1900.

The information contained in your letter has been made a matter of record with this Commission and the application for enrollment, being in proper form, has been duly filed with the records of this Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Enclo.

Acting Chairman.

Chac 5176

#1-2-3-4 Dismissed Dec 10, 1889

9115

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the application for enrollment as citizens by blood of the Choctaw Nation of:

Willie Hill, et al., 7-5176.

Chickasaw Court Card C. 221

In the application of Willie Hill and others.

Willie Hill says:

I have been living in the Chickasaw Nation since September 1897.

Ardmore, Sept. 24 1898.

Willie Hill
Sewell Hill

enrolled.

The State of Texas, Van Zandt County: S.S.

To any Judge of the County or District Court, Regularly Licensed or Ordained Minister of the Gospel, or Justice of the Peace, in and for said County of Van Zandt, Greeting:

You are hereby authorized to solemnize the Rites of Matrimony between Mr. W. L. Hill and Miss Lillie Palmer and make due return to the Clerk of the County Court of said County within sixty days thereafter, certifying your action under this License.

Witness my Official Signature and Seal of Office at Office in Canton, this 21 day of Sept. A.D. 1894

E. L. Richardson
Clerk of the County Court Van Zandt County
By J. P. DuBose Deputy.

I, J. L. Robinson, hereby certify that on the 11 day of Sept. A.D. 1894, I united in marriage W. L. Hill and Miss Lillie Palmer, the parties above named.

Witness my hand this 11 day of Oct. A.D. 1894

J. L. Robinson
M. G.

Returned and filed for Record this 12 day of Oct. A.D. 1894

E. L. Richardson
County Clerk
By J. P. DuBose, Deputy.

The State of Texas } I, H.P. Davis, Clerk
County of Van Zandt } of the County Court
in and for Van Zandt
County, State of Texas, do hereby certify that
the above and foregoing is a true and cor-
rect copy of the Marriage License issued
to W.L. Hill and Miss Lillie Palmer on the
21st day of Sept. A.D. 1894, as the same
appears of Record in Vol. 5, on page
538, Record of Marriage License for Van Zandt
County, Tex.

Witness my hand and official
Seal at Office in Canton, Tex.,
this 11th day of Jan A.D. 1900

H.P. Davis, Co. Clerk
Van Zandt Co. Texas
By Chas. L. Hubbard, Deputy.

W. L. Hill

To

Miss Lillie Palmer

Marriage License

Certified Copy

Issued Jan 11" 1900

H. P. Davis

Co. Clerk

Chas. L. Hubbard

Deputy

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Blanice Hill, born on the 13th day of August, 1899.
Name of father: William L Hill, a citizen of the Choctaw Nation.
Name of mother: Lillie Hill, a citizen of the Choctaw Nation.
Post Office: Rush Springs I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District.

I, Lillie Hill, on oath, state that I am 21 years of age and a citizen, by Marriage, of the Choctaw Nation; that I am the lawful wife of William L Hill who is a citizen, by blood, of the Choctaw Nation; that a girl child was born to me on the 13th day of August, 1899; that said child has been named Blanice Hill,

Lillie Hill

Subscribed and sworn to before me this 28 day of October, 1899

Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District.

I, Dr P J Hampton, a Physician, on oath, state that I attended on Mrs. Lillie Hill, wife of William L Hill on the 13 day of August, 1899; that there was born to her on said date a girl child; that said child is now living and is said to have been named Blanice Hill.

P J Hampton MD

Subscribed and sworn to before me this 28 day of October, 1899

Notary Public.

CHOCTAW.

20

IN RE

Application for Enrollment of

INFANT CHILD

Allen Hall

as a citizen of

Choctaw Nation.

Approved DEC 1 1901 190

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
DEC 19 1901

ACTING CHAIRMAN

CHOCTAW.
5176.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Chactaw Nation,

of Olen Hill (Here insert name of child.), born on the 24 day of November, 1901

Name of Father: William L Hill a citizen of the Chactaw Nation.

Name of Mother: Lillie Hill a citizen of the Chactaw Nation.

Post-office Marlow Ind Ty

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Southern District.

I, Lillie Hill, on oath state that I am ... years of age and a citizen, by marriage, of the Chactaw Nation; that I am the lawful wife of William L Hill, who is a citizen, by blood, of the Chactaw Nation; that a Male (male or female.) child was born to me on 24 day of November 1901; that said child has been named Olen Hill, and is now living.

Lillie Hill

WITNESSES TO MARK:

(Must be Two Witnesses.) Wm A Proctor

J. J. Wall

Subscribed and sworn to before me this 16th *day of* December 1901.

Wm A Proctor

NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, ... District,

I, C B Hall, a Licensed Physician, on oath state that I attended on Mrs. Lillie Hill, wife of William Hill on the 24 day of November, 1901; that there was born to her on said date a Male (male or female) child; that said child is now living and is said to have been named Olen Hill

C B Hall M D

WITNESSES TO MARK:

(Must be Two Witnesses.) Wm A Proctor.

J. J. Wall.

Subscribed and sworn to before me this 16th *day of* December 1901.

Wm A Proctor

NOTARY PUBLIC.

7-5176.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Willie Hill and his three minor children Sewell, Clarrice and Olen Hill as citizens by blood of the Choctaw Nation.

----oOo----

It appears from the records of the Commission to the Five Civilized Tribes that on September 9, 1896, in the case entitled "J. M. Hill, et al., vs. Choctaw Nation" (1896 Choctaw Citizenship Docket, case number 1365), original application was made to the Commission, under the provisions of the act of Congress approved June 10, 1896 (29 Stat., 321), for the admission of the applicant Willie Hill as a citizen by blood of the Choctaw Nation; and on December 8, 1896 the said Willie Hill was, by this Commission, denied admission as a citizen by blood of the Choctaw Nation. From this decision of the Commission an appeal was taken to the United States Court for the Southern District of Indian Territory, which court, in the case entitled "J. M. Hill, et al., vs. Choctaw Nation" (Citizenship Case, number 149), reversed the decision of the Commission denying the said Willie Hill admission to citizenship in the Choctaw Nation and admitted said applicant as a citizen by blood of said nation. Said court by said judgment also admitted the applicant Sewell Hill as a citizen by blood of the Choctaw Nation but subsequently on January 15, 1900 ordered and adjudged that the name of said Sewell Hill be stricken from the original judgment and that he "take no rights to citizenship in the Choctaw Nation, by reason of said judgment".

The applicants Sewell Hill, Clarrice Hill and Olen Hill are the offspring of the applicant Willie Hill and Lillie Hill, a noncitizen, and, having been born subsequent to the date of the original application made herein to the Commission in 1896, their names are not embraced in said original application.

It further appears from the records in the possession of the Commission that on December 17, 1902 the Choctaw and Chickasaw Citizenship Court, created by the provisions of the act of Congress approved July 1, 1902 (32 Stat., 641), "set aside, annulled, vacated and held for naught" the aforesaid judgment of the United States Court for the Southern

District of Indian Territory. Said cause has not been appealed or certified to the said Choctaw and Chickasaw Citizenship Court for a trial de novo within the time prescribed by the provisions of said act of Congress approved July 1, 1902.

In accordance with the opinion of the Acting Attorney General dated May 9, 1904 (I.T.D. 3824-1904) and the opinion of the Assistant Attorney General for the Department of the Interior dated July 30, 1904 (I.T.D. 5246-1904) the Commission to the Five Civilized Tribes is without authority to take any action of any character looking to the enrollment of Willie Hill, Sewell Hill, Clarrice Hill and Olen Hill as citizens by blood of the Choctaw Nation and it is, therefore, hereby ordered that the application for the enrollment of Willie Hill, Sewell Hill, Clarrice Hill and Olen Hill as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Chairman.

Muskogee, Indian Territory,

DEC 10 1904

COPY) 7-5176

Muskogee, Indian Territory, December 10, 1904.

Willie Hill,

Marlow, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated December 10, 1904, dismissing the application for the enrollment of yourself, and minor children, Sewell Hill, Clarrice Hill and Olen Hill as citizens by blood of the Cheetaw Nation.

Respectfully,

(SIGNED)

Tams Bixby.

Chairman.

Registered.
Incl. 7-5176

7-5176

COPY.

Muskogee, Indian Territory, December 10, 1904.

West, Joiner and Gibbs,
Attorneys at Law,
Ardmore, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated December 10, 1904, dismissing the application for the enrollment of Willie Hill, Sewell Hill, Clarries Hill and Olen Hill as citizens by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

Tams Bixby.

Chairman.

Registered.
Inml. 7-5176.

COPY. 7-8176

Muskogee, Indian Territory, December 10, 1904.

Mansfield, McMurray and Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission, dated December 10, 1904, dismissing the application for the enrollment of Willie Hill, Sewell Hill, Clarrice Hill and Olen Hill as citizens by blood of the Choctaw Nation.

Respectfully,

SIGNED

Tams Bixby.

Chairman.

Incl. 7-8176.

Muskogee, Indian Territory, December 19, 1901.

William L. Hill,

Marlow, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Glen Hill, the infant son of William L. and Lillie Hill, born November 24, 1902, and the same being in proper form has been duly filed with the records of this office and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Commissioner in Charge.

7-5176

COMMISSIONERS:
HENRY L. DAWES,
TAMS BIXBY,
ARCHIBALD S. MCKENNON,
THOMAS B. NEEDLES.

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Ardmore, I.T. Jan. 24, 1900.

Dawes Commission,

Muscogee, I.T.

Gentlemen:

The inclosed letter was handed to us for investigation and we find that the marriage license of W. L. Hill to Lillie Palmer is on file in the office of the clerk of the United States Court for the Southern District at Ardmore, the same being a part of the record in the case of J. M. Hill et al vs Choctaw Nation; and the records here show that Lillie Hill nee Palmer has also been adjudged entitled to citizenship as a member of the Choctaw tribe. We are not familiar with the rulings of the Commission in such cases but trust that Mr. Hill will not have to go to the expense of having a certified copy of the record forwarded to the Commission in order to have his child enrolled, if necessary, however, we will furnish the same at once.

Yours truly,

West, Joiner & Gibbs.

Dictated by G.

Chac 5177 Fannie Simpson

June 19, 1900 Additional testimony taken at Colbert IT This date. Children Clyde and John refused for want of Jurisdiction

#1-2-3-4-5 Dismissed Dec 3, 1904

5177

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the application for enrollment as citizens by blood of the Choctaw Nation of:

Fannie Simpson, et al., 7-5177.

Choctaw Court Card C 222

IN RE application of Fannie Simpson and others.

Sworn by Commissioner McKennon

Fannie Simpson says:

I came from Texas and have been living in the Territory since October 1897.

I went back to the state of Texas in October and returned in August 1898.

Ardmore, Sept. 24 1898.

Fannie Simpson
Clyde Simpson
John Simpson
Grady Simpson

enrolled.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Colbert, Indian Territory, June 19, 1900.

CHOCTAW 5177

In the matter of the application of Fannie Simpson, for enrollment of herself and minor children as citizens of the Choctaw Nation. Fannie Simpson, being first duly sworn by Acting Chairman Bixby, testified as follows:

Q What is your name? A Fannie Simpson.
Q How old are you? A Twenty-six.
Q Where do you live? A Rush Springs, I.T.
Q Is Rush Springs your post office address? A Yes sir.
Q Are you the identicle Fannie Simpson that was admitted to citizenship by the United States Court for the Southern District, Indian Territory at Ardmore March 8, 1898, Court case No. 149? A Yes sir.
Q Did you appear before this Commission as an applicant for enrollment September 24th, 1898? A My father did.
Q Your father appeared in your behalf? A Yes sir.
You have been listed for enrollment by this Commission as a Choctaw citizen. The name of Fannie Simpson appears upon the Choctaw roll, field card No. 5177 and C 222.
Q Who is it that you now desire to make application for Mrs. Simpson? A My three children.
Q What are the names and ages of these children for whom you now wish to make application? A Clyde 7, John 6, Grady 3.
Q The names of these children, Clyde, John and Grady were in the original judgment of the United States Court for the southern district for Indian Territory, and were admitted to citizenship were they not? A Yes sir, we thought they were on the roll but in some way or another they were left off.
Q Ther were in the original judgment of the United States Court? A Yes sir.
Q Were they in the original application that was made to this Commission under the Act of Congress, June 10th, 1896? A Two of them was, the third was not.
Q Are you just sure that the names of these children were on that application? A Well, sir, that's what they told me.
Q Did you ever see the application? A No sir.
Q Did you not sign it? A No sir, my father attended to all that himself.
Q The records of this Commission, Mrs. Simpson, show that the application made in this case - of J. M. Hill, et al, for citizenship in the Choctaw Nation, did not contain the names of your children, Clyde, John and Grady, but that they were interpulated in the appeal taken from the decision of this Commission to the United States Court for the Southern District, Indian Territory, and that the Court in rendering Judgment admitted the applicants in the case of J. M. Hill et al to citizenship and included their names and they were admitted to citizenship by that Judgment of the Court March 8, 1898. It appears that the court was cognizant of the fact that the names of these children were not in the original application made to this Commission and, therefore, had no right to act in the appeal taken from the decision of this Commission, as to their rights, and on January 15th, 1900, the Court issued an order correcting the judgment previously rendered in the case of J. M. Hill et al by striking from the original judgment the names of your three children, Clyde, John and Grady, for the reason that their names were not in the original application made to this Commission and that the Court had no jurisdiction to admit those children on the appeal from the decision of this Commission. I understand that you now desire to make application for the enrollment of

these children whose names were stricken from the judgment of the Court? A Yes sir.
Q What was the date of the birth of your child Clyde? A September 8, 1892.
Q And of the other two?A John was born on May 5th, 1894 and Grady January 11th, 1897.
Q Grady was born January 11th, 1897? A Yes sir.
Q Have you any evidence as to the birth of that child, with you? A No sir
Q Is there anybody here who was present at the birt of that child besides yourself? A No sir.

The Commission has ruled that in the case of children whose parents have been admitted to citizenship by Judgment of the United States Courts, that the names of such children who were bord subsequent to the date of the filing of the original application of the parents will be listed for enrollment, upon the presentation of proper evidence of birth. In appear that this child Grady was born subsequent to the date of the filing the original application by J. M. Hill, et al for citizenship, and this child will be listed for enrollment upon the presentation of proper evidence. The other two children were not on the original application made to this Commission under the Act of Congress, June 10th, 1896, and were living at that time, and this Commission is without jurisdiction in their case.

Your youngest child Mattie E. Simpson has been duly listed for enrollment by this Commission as a citizen of the Choctaw Nation, having been born July 30th, 1899, the evidence as to the birth of that child having been duly forwarded to the Commission and filed with the records.

Testimony of the Father Vinson Simpson:

Vinson Simpson having been duly sworn by Acting Chairman Bixby, testified as follows:
Q What is your name? A Vinson Simpson.
Q Are you a citizen of the Choctaw Nation. A No sir.
Q Are you the husband of Fannie Simpson? A Yes sir.
Q Is she a citizen of the Choctaw Nation? A Yes sir.
)By M.M. Lindley)
Q How many children have you? A Four.
Q What are their names? A Clyde, John, Grady and Mattie.
Q All these children are by your present wife, Fannie Simpson? A Yes sir.

Q The records show that two of your children will be enrolled as members of the Choctaw Nation and these two that will be enrolled you state are full brithers and sisters to Clyde and John, which two the Dawes Commission refuses to enroll for want of jurisdiction? A yes sir.
Q Where is your marriage license? A Ther were filed at Ardmore.
Q In what case?A In the application of J. M. Hill et al.

A. McElrath, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he reported the above case and that the above and foregoing is a full, true and complete transcript of his stenographic notes in said cause.

Subscribed and sworn to before me this 4 day of Jany, 1900.

A. McElrath

Acting Chairman.

BEFORE THE COMMISSION TO THE FIVE CIVILIZED TRIBES,

at Muscogee, Ind. Ter.

In the matter of the application for enrollment of
CLIDE and JOHN Simpson, as the miner children of
Fannie Simpson, a member of the Choctaw Tribe of Indians
in the Indian Territory.

Comes now your petitioner , Fannie Simpson, and shows to this Honorable Commision:

That she is a Choctaw Indian by blood, and a resident of the Chickasaw Nation in the Indian territory; and that as such Choctaw Indian , her name was placed on the roll of said Nation , by the Commission to the Five Civilized Tribes, at Ardmore -----on the 2nd day of Sept -1898, in obedience to a mandate from the United States Court , at Ardmore I.T.; and that at the same time the name of her child Mattie E. Simpson, aged six monts , was also placed on said roll.

That thereafter, to wit; on the 9th day of June 1900, at Colbert Your petitioner appeared in person before the said Commission, for the purpose of having her other three children's names placed on the same roll.

That at said time she made application for Clide and John Simpson, her two oldest children , aged respectively, 7 and 5 years, and a younger child Grady Simpson aged 3 years.

That said Commission , enrolled , or rather notified her that they would enroll her boy Grady Simpson, but refused to enroll her other two said children; the reason given by said Commission for enrolling the one and not the other two was that the said Grady Simpson, was born after my application was made to the Commission in 1898; and the reason given for not enrolling the other two, although they are the full brothers of the two that are enrolled, was; that they were born prior to my application and all born in lawful wedlock.
to said Commission in 1898, and were not made parties to said suit.

Your petitioner further shews , that at the time that her application was made to said Commission to the Five Civilized Tribes, in 1898 , the names of her two said Children, Clide and John Simpson, were omitted through a clerical error, or by the negligence of her then Attorneys: and that she had no knowledge of the error or negligence, until long

afterward, and in fact not until the case had been fully and finally tried by the Court at Ardmore.

Your petitioner further shows, that the United States Court at Ardmore refuses to take jurisdiction of these two said children and make them parties to the same suit that has enrolled your petitioner, their mother; and that unless your Honors will take jurisdiction of, and enroll minor your petitioner's two said children, to wit: Clide and John Simpson, their said names will be omitted from the final rolls of their said tribe, and they will be deprived of the rights guaranteed to them by all the treaties between "The United States" and "The Choctaw Nation" and the laws of the Congress of The United States, passed in conformity thereto etc.

Wherefore the premises considered, your petitioner prays; that that she be granted a day in court to represent her two minor children; and that on said hearing, they be permitted to prove that they, and the descendants of the members of the Choctaw tribe of Indians in the Indian Territory; and that on said hearing the names of said two minor children, Clide Simpson and John Simpson, aged respectively, 7 and 9 years, be placed on the final roll of the same; and that they be decreed to be citizens and members of said tribe of Indians in the Indian Territory, with all the rights, priveleges, benefits and immunities pertaining to such enrollment and citizenship

Fannie Simpson

Fannie Simpson, being first duly sworn states; that she is the person making and signing the foregoing petition; and that she has read over the same and knows the contents thereof, and that the matters and things therein contained are true as she verily believes.

Fannie Simpson

Subscribed and sworn before me this the 27th day of August 1900.

My commission Expires
Feb 26 1905

Geo W Johnson
Notary Public.

United States of America,
Indian Territory,
Southern District.

V. Simpson, being first duly sworn on oath states; My Post Office is Rush Springs, Indian Territory. I am 49-Years of age. I am a white man and a citizen of the United States, and on the 2-day of Dec.-- 1891 was duly and lawfully married to ~~Mattie~~ Fannie Simpson, ~~XXXX~~ a Choctaw Indian woman, with whom I am still living, and there was born as issue of said marriage the following named children, to-wit:

Clide Simpson, aged 7 years.
John Simpson, aged 6 years.
Grady Simpson, aged 3 years, and
Mattie E. Simpson, aged three months

Affiant further states that his said wife Fanie Simpson is the same person making the application to which this affidavit is attached for the purpose of having the said Clide and John Simpson enrolled as members of th Choctaw Tribe of the Indian Territory. Affiant further states that his said wife Fannie Simspon has been placed on the final roll of the Choctaw Nation as a member thereof, by blood by the Dawes Commission, in obedience to a mandate from the United States court at Ardmore, I.T. That thereafter the said Dawes Commission enrolled their said Child Grady Simpson and Mattie E. Simpson but refused to enroll the other ~~XXXXXXX~~ two said members of their family, for the reason that their names did not appear on the original application to the Dawes Commission duly made in 1896.

Affiant further states that when said application was made in 1896 that all the names of his family at that time were given in, and as he thought and understood and ordered were made parties to said original application.

Your affiant further states that he never learned that the two names of Clide and John Simpson their two said children were not in said original application until it was too late to make them parties to said suit. Affiant further states Clide and John Simpson were living with himself and wife at the time the original application above referred to was made, in the Chickasaw nation, and have always lived with them.

V. Simpson

Subscribed and sworn to before me this the 27-day of August 1900.

Geo. Colbert Notary Public

My Commission Expires Feb. 26/1903

United States of America,
Indian Territory, Southern District.

R. F. Lindsey ---------- being first duly sworn on oath states,
My Post Office is ---------- Rush Springs ---------- Indian Territory, and
I am ---50--- Years of age. I am well and personally acquainted with
V. Simpson and his wife Fannie Simpson, I have known them for ~~32~~ 39 myears
and have lived neighbor to them and know that their family consists of
four children, to-wit: Clide, John, Grady, and Mattie Simpson. I further
know that these children have always lived with their said parents in the
Chickasaw nation Indian Territory, and that they are now living there, close
to Rush Springs, in said Nation.

I further know that the said Clide, John, Grady, and Mattie Simpson are
full brothers and sisters, and the children of V. Simpson and Fannie
Simpson and born in lawful wedlock.

R F Lindsey

Subscribed and sworn to before me this the 27th day of August 1900.
My Commission Expires
Feb. 26 1903

Geo C Jefferson
Notary Public.

United States of America,
Indian Territory, Southern District.

D C Coffman being first duly sworn on oath states,
My Post Office is Rush Springs Indian Territory, and
I am Fifty Nine Years of age. I am well and personally acquainted with
V. Simpson and his wife Fannie Simpson, I have known them for 22 years
and have lived in their neighborhood to them and know their family consists of
four children, to-wit: Clide, John, Grady, and Mattie Simpson. I further
know that these children have always lived with said parents in the
Chickasaw nation Indian Territory, and that they are now living there, all
the Pure Strains of said Nation.

I further know that the said Clide, John, Grady and Mattie Simpson are
full brothers and sisters, and the children of V. Simpson and Fannie
Simpson and born in lawful wedlock.

D C Coffman

Subscribed and sworn to before me this the 20th day of August 1901.
My Commission Expires
Feb. 23 1902

Geo Coffman
Notary Public.

Fannie Simpson
for her two Minor Children
Clide & J. John Simpson

vs.

Choctaw Nation

Petition & Proofs.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
AUG 31 1900

ACTING CHAIRMAN.

7-5177

Harley & Lindy
& McAlester I. T.

CHOCTAW. 88 54

IN RE **5981**

Application for Enrollment of

INFANT CHILD

Grady Simpson

as a citizen of the

CHOCTAW. Nation.

Approved, AUG 18 1900 190

Commissioner.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
AUG 18 1900

ACTING CHAIRMAN.

CHOCTAW.
5177

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation.

of Grady Simpson (Here insert name of child), born on the 11 day of Jany. 1897

Name of Father: Vinson Simpson, a citizen of the U. S. Nation.

Name of Mother: Fannie Simpson, a citizen of the Choctaw Nation.

Postoffice, Rush Springs I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY.
Central District.

I, Fannie Simpson, on oath state that I am 26 years of age and a citizen, by blood, of the Choctaw Nation; that I am the lawful wife of Vinson Simpson, who is a citizen, by ~~by~~, of the United States Nation; that a Male (male or female) child was born to me on the 11 day of January, 1897; that said child has been named Grady Simpson, and is now living.

Fannie Simpson

WITNESSES TO MARK:
(Must be Two Witnesses) D. C. Coffman
Jno R Coffman

Subscribed and sworn to before me this 23 *day of* July 1900

My Commission Expires Feb. 26 1900

Geo H Coffman
Southern District
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY.
State of Kansas
Co of Kingman District.

I, Emerline Hunt, a ..., on oath state that I attended on Mrs. Fannie Simpson, wife of Vinson Simpson, on the 11 day of January, 1897; that there was born to her on said date a Male (male or female) child; that said child is now living and is said to have been named Grady Simpson.

Emerline Hunt
her mark

WITNESSES TO MARK:
(Must be Two Witnesses) D. C. Coffman.
Jeanen Shumate

Subscribed and sworn to before me this 19 *day of* July 1900

J R Magill Notary Public and for Kingman Co Kas
NOTARY PUBLIC

Department of the Interior.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Mallie Elizabeth Simpson, born on the 30th day of July, 1899.
Name of father: Vinson Simpson an intermarried citizen of the Choctaw Nation.
Name of mother: Fannie Simpson, a citizen of the Choctaw Nation.
Post Office: Rush Springs, I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
..... District.

I, Fannie Simpson, on oath, state that I am 24 years of age and a citizen, by blood, of the Choctaw Nation; that I am the lawful wife of Vinson Simpson who is a citizen, by intermarriage, of the Choctaw Nation: that a female child was born to me on the 30th day of July, 1899; that said child has been named Mallie Elizabeth Simpson and is now living.

Fannie Simpson

Subscribed and sworn to before me this 7 day of October, 1899

A. Williams
Notary Public.
my com exp May 27 1905

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA.
INDIAN TERRITORY,
..... District.

I, P. J. Hampton, a Physician, on oath, state that I attended on Mrs. Fannie Simpson, wife of Vinson Simpson on the 30th day of July, 1899; that there was born to her on said date a female child; that said child is now living and is said to have been named Mallie Elizabeth Simpson.

P J Hampton MD

Subscribed and sworn to before me this 7 day of October, 1899

A. Williams
Notary Public.
my com exp May 27 1903

7-5177.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Fannie Simpson and her four minor children Clyde Simpson, John Simpson, Grady Simpson and Mattie E. Simpson as citizens by blood of the Choctaw Nation.

----oOo- --

It appears from the records of the Commission to the Five Civilized Tribes that on September 9, 1896 in the case entitled "J. M. Hill, et al., vs. Choctaw Nation" (1896 Choctaw Citizenship Docket Case, number 1365) original application was made to the Commission, under the provisions of the Act of Congress approved June 10, 1896 (29 Stat., 321), for the admission of the applicant Fannie Simpson (nee Hill) as a citizen by blood of the Choctaw Nation; and on December 8, 1896 the said Fannie Simpson was by this Commission denied admission as a citizen by blood of the Choctaw Nation. From this decision of the Commission an appeal was taken to the United States Court for the Southern District of Indian Territory, which court, in the case entitled "J. M. Hill, et al., vs. Choctaw Nation" (Citizenship Case, number 149), reversed the decision of the Commission denying the said Fannie Simpson admission to citizenship in the Choctaw Nation and admitted said applicant as a citizen by blood of said Nation. Said court by said judgment also admitted the applicants Clyde Simpson, John Simpson and Grady Simpson but subsequently on January 15, 1900 ordered and adjudged that the names of said Clyde Simpson, John Simpson and Grady Simpson be stricken from the original judgment and that said persons"take no rights of citizenship in the Choctaw Nation, by reason of said judgment".

The applicants Clyde Simpson, John Simpson, Grady Simpson and Mattie E. Simpson are the offspring of the applicant Fannie Simpson and V. Simpson, a noncitizen, and the name of none of them is embraced in the original application made herein to the Commission in 1896 although the said Clyde Simpson and John Simpson were living at the date of said original application. The applicants Grady Simpson and Mattie E. Simpson having been born subsequent to the date of said original application are identified by proper proof of birth filed with and made a part of the record in this case.

It further appears from the records in the posses-

sion of the Commission that on December 17, 1902 the Choctaw and Chickasaw Citizenship Court, created by the provisions of the act of Congress approved July 1, 1902 (32 Stat., 641), "set aside, annulled, vacated and held for naught" the aforesaid judgment of the United States Court for the Southern District of Indian Territory. Said cause has not been appealed or certified to the said Choctaw and Chickasaw Citizenship Court for a trial de novo within the time prescribed by the provisions of said act of Congress approved July 1, 1902.

In accordance with the opinion of the Acting Attorney General dated May 9, 1904 (I.T.D. 3824-1904) and the opinion of the Assistant Attorney General for the Department of the Interior dated July 30, 1904 (I.T.D. 5246-1904) the Commission to the Five Civilized Tribes is without authority to take any action of any character looking to the enrollment of Fannie Simpson, Clyde Simpson, John Simpson, Grady Simpson and Mattie E. Simpson as citizens by blood of the Choctaw Nation and it is, therefore, hereby ordered that the application for the enrollment of Fannie Simpson, Clyde Simpson, John Simpson, Grady Simpson and Mattie E. Simpson as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Chairman.

Muskogee, Indian Territory,

DEC

COPY. 9-5177

Muskogee, Indian Territory, December 3, 1904.

Fannie Simpson,

Keller, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated December 3, 1904, dismissing the application for the enrollment of yourself, and minor children Clyde Simpson, John Simpson, Grady Simpson and Mattie E. Simpson as citizens by blood of the Choctaw Nation.

Respectfully,

Tams Bixby
Chairman.

Registered.
Incl. 9-5177.

7-5177

COPY.

Muskogee, Indian Territory, December 3, 1904.

Riley and Cosner,

Attorneys at Law,

Tishomingo, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated December 3, 1904, dismissing the application for the enrollment of Fannie Simpson, Clyde Simpson, John Simpson, Grady Simpson and Mattie E. Simpson as citizens by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

Tams Bixby

Chairman.

Registered.

Incl. 7-5177.

COPY. 7-5177

Muskogee, Indian Territory, December 3, 1904.

Marley and Lindley,

Attorneys at Law,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated December 3, 1904, dismissing the application for the enrollment of Fannie Simpson, Clyde Simpson, John Simpson, Grady Simpson and Mattie E. Simpson as citizens by blood of the Choctaw Nation.

Respectfully,

SIGNED

Tams Bixby

Chairman.

Registered.

Inel. 7-5177.

7-5177

COPY.

Muskogee, Indian Territory, December 3, 1904.

Mansfield, McMurray and Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission dated December 3, 1904, dismissing the application for the enrollment of Fannie Simpson, Clyde Simpson, John Simpson, Grady Simpson and Mattie E. Simpson as citizens by blood of the Choctaw Nation.

Respectfully,

SIGNED

Tams Bixby
Chairman.

Incl. 7-5177.

Muskogee, Ind. Ter., August, 22d, 1900.

Vinson Simpson Esq.

Rush Springs, Ind. Ter.

Dear sir:

The Commission is in receipt of the application for enrollment as a citizen of the Choctaw Nation of Grady Simpson, the infant son of Vinson and Fannie Simpson, born Jany. 11th 1897, and the same being in proper form has been duly filed with the records of the Commission.

Yours truly,

Acting Chairman.

7-5177.

Muskogee, Indian Territory, August 31, 1900

Harley & Lindley,

Attorneys at Law,

South McAlester, Indian Territory.

Gentlemen:

The Commission is in receipt of your letter of the 29th instant enclosing petition and exhibits in the case of Fannie Simpson on behalf of her two minor children, Clyde Simpson and John Simpson, applicants for enrollment as citizens of the Choctaw Nation. You state in your letter that they are applicants for identification as Mississippi Choctaws.

The records of this Commission show that these two children were listed for enrollment by this Commission September 24th, 1898, as citizens by blood of the Choctaw Nation, having been admitted to such citizenship by the judgment of the United States Court for the Southern District of the Indian Territory in court case No. 149, March 8th, 1898 and their names having subsequently been stricken from said judgment for the reason that these two children, Clyde and John Simpson, were not parties to the original application made to this Commission under the act of Congress of June 10th, 1898. The petition and affidavits forwarded by you have been filed with the other records in this case.

Yours truly,

7-5177

Acting Chairman.

Choctaw 8177

Muskogee, Indian Territory, August 16, 1904.

Riley & Cotner,
Attorneys at Law,
Tishomingo, Indian Territory,

Gentlemen:

Receipt is hereby acknowledged of your letter of August 11, asking the status of the case of Fannie Simpson and her minor children, Clyde, John, Grady and Mattie E. Simpson. You state these people claim to have been admitted by the Commission in 1896 in the case of Hill, et al, and on appeal to the United States Court the judgment of the Commission was affirmed.

You therefore desire to be specifically informed if there was a judgment of the Commission in 1896 admitting these persons to citizenship in the Choctaw Nation.

In reply to your letter you are advised that Fannie Simpson and her children, Clyde, John and Grady Simpson were admitted to citizenship in the Choctaw Nation by the United States Court for the Southern District of the Indian Territory, March 6, 1896, on appeal from a decision of the Commission in 1896 Choctaw case Number 1365 denying the application of Fannie Simpson for citizenship in the Choctaw Nation. The names of Clyde, John and Grady Simpson were subsequently stricken from the original judgment by order of the United

E & C 2

States Court.

It does not appear from our records that appeal has been taken as to Fannie Simpson to the Choctaw and Chickasaw Citizenship Court, as provided by the act of Congress approved July 1, 1902.

Respectfully,

Commissioner in Charge.

Choc 5178 Laura Miles

1-2-3-4-5 Dismissed 12-3-04

8715

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the application for the enrollment, as citizens by blood of the Choctaw Nation of:

Laura Miles, et al., 7-5178.

Choctaw Court Card O. 223

IN the application of Laura Miles and others.

Laura Miles says:

Oma V. was born May 14th 1898. I have been living in the Chickasaw nation since July 15th 1897.

Ardmore, Sept. 24 1898.

Laura Miles
Mabel Miles
Oma V. Miles

enrolled.

DEPARTMENT OF THE INTERIOR

COMMISSION TO THE FIVE CIVILIZED TRIBES

IN RE Application for enrollment ,as a citizen of the Choctaw Nation of Lydia Miles born on the 31 day of december 1899.name of father C. E Miles a citizen of the Choctaw Nation . Name of mother Laura Miles a citizen of the Choctaw Nation

post Office New Port I.T

AFFIDAVID OF MOTHER.

UNITED STATES OF AMERICA,
Indian Territory
Southern Dist

I Laura Miles on oath ,state that I am 23 years of age and a citizen by bleed ,of the Choctaw Nation ;that I am the lawful wife of C E Miles who is a citizen ,by marriage of the Choctaw Nation ; that a Girl child was born to me on the 31st day of december 1899;that the child has been named Lydia Miles and is now liveing .

Mrs. Laura Miles.

Subscribed and sworn to before me this 23 day of january 1900

Jas E. Hart
Notary Public.

AFFIDAVID OF ATTENDING PHYSICIAN

UNITED STATES OF AMERICA
Indian Territory,
Southern District

I am aPhysician ,on oath ,state that I attendid on Mrs Laura Miles ,wife of C.E. Miles on december the 31st 1899; that there was born to her on said date a Girl child ;that said child is now liveing and is said to have been named Lydia Miles

W A Collins M D

Subscribed and sworn to before me this 23 day of january 1900

Jas E. Hart
Notary Public.

Application for enrollment.

Lydia Miles

as a

Citizen of the Choctaw nation.

Approved MAY 24 1900

Commissioner

FILED
MAY 24 1900
COMMISSION TO FIVE TRIBES

Choc
C. T.

CHOCTAW. INDEXED

IN RE

Application for Enrollment of

INFANT CHILD

Johnie Eveline Miles

as a citizen of

Choctaw Nation.

Approved APR 25 1902 190

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
APR 25 1902

Acting Chairman.

CHOCTAW.
5178

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment as a citizen of the Choctaw Nation,
of Johnie Eveline Miles, born on the 28 day of March, 1902.
(Here insert name of child.)
Name of Father: C E Miles a citizen of the intermarried Choctaw Nation.
Name of Mother: Laura Miles a citizen of the Choctaw Nation.
Post-office Ardmore Ind Ter

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, }
INDIAN TERRITORY
Southern District. }

I, Laura Miles, on oath state that I am 24 years of age and a citizen, by blood, of the Choctaw Nation; that I am the lawful wife of C E Miles, who is a citizen, by intermarriage, of the Choctaw Nation; that a female child was born to me on 28 day of March, 1902, that said child has been named Johnie Eveline Miles, and is now living.

Laura Miles

WITNESSES TO MARK:
(Must be Two Witnesses.) Emma Hill

Subscribed and sworn to before me this 2d *day of* April 1902

C. M. Joiner
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, }
INDIAN TERRITORY,
Southern District, }

I, W. J. Gardner, a physician, on oath state that I attended on Mrs. Laura Miles, wife of C E Miles on the 28 day of March, 1902, that there was born to her on said date a female (male or female) child; that said child is now living and is said to have been named Johnie Eveline Miles.

W. J. Gardner M.D.

WITNESSES TO MARK:
(Must be Two Witnesses.)

Subscribed and sworn to before me this 21st *day of* April 1902.

C M Joiner
NOTARY PUBLIC

7-5178.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Laura Miles and her four minor children Mabel Miles, Oma V. Miles, Lydia Miles and Johnie Eveline Miles as citizens by blood of the Choctaw Nation.

----oOo----

It appears from the records of the Commission to the Five Civilized Tribes that on September 9, 1896, in the case entitled "J. M. Hill, et al., vs. Choctaw Nation" (1896 Choctaw Citizenship Docket, case number1365), original application was made to the Commission, under the provisions of the act of Congress approved June 10, 1896 (29 Stat., 321), for the admission of the applicant Laura Miles (nee Hill) as a citizen by blood of the Choctaw Nation; and on December 8, 1896 the said Laura Miles was, by this Commission, denied admission as a citizen by blood of the Choctaw Nation. From this decision of the Commission an appeal was taken to the United States Court for the Southern District of Indian Territory, which court, in the case entitled "J. M. Hill, et al., vs. Choctaw Nation" (Citizenship Case, number 149), reversed the decision of the Commission denying said Laura Miles admission to citizenship in the Choctaw Nation and admitted said applicant as a citizen by blood of said nation. Said court by said judgment also admitted the applicant Mabel Miles (as Mable Miles) as a citizen by blood of the Choctaw Nation but subsequently, on January 15, 1900, ordered and adjudged that the name of said Mabel Miles (as Mable Miles) be stricken from the original judgment and that she "take no rights to citizenship in the Choctaw Nation, by reasnn of said judgment".

The applicants Mabel Miles, Oma V. Miles, Lydia Miles and Johnie Eveline Miles are the offspring of the applicant Laura Miles and Van (or C. E.) Miles, a noncitizen, and were born subsequent to the date of the original application made herein to the Commission in 1896.

It further appears from the records in the possession of the Commission that on December 17, 1902 the Choctaw and Chickasaw Citizenship Court, created by the provisions of the act of Congress approved July 1, 1902 (32 Stat., 641),

"set aside, annulled, vacated and held for naught" the aforesaid judgment of the United States Court for the Southern District of Indian Territory. Said cause has not been appealed or certified to the said Choctaw and Chickasaw Citizenship Court for a trial de novo within the time prescribed by the provisions of said act of Congress approved July 1, 1902.

In accordance with the opinion of the Acting Attorney General dated May 9, 1904 (I.T.D. 3824-1904) and the opinion of the Assistant Attorney General for the Department of the Interior dated July 30, 1904 (I.T.D. 5246-1904) the Commission to the Five Civilized Tribes is without authority to take any action of any character looking to the enrollment of Laura Miles, Mabel Miles, Oma V. Miles, Lydia Miles and Johnie Eveline Miles as citizens by blood of the Choctaw Nation and it is, therefore, hereby ordered that the application for the enrollment of Laura Miles, Mabel Miles, Oma V. Miles, Lydia Miles and Johnie Eveline Miles as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Chairman.

Muskogee, Indian Territory,

DEC 3 1904

Choctaw 5178

COPY.

Muskogee, Indian Territory, December [redacted], 1904.

Laura Miles,

Ardmore, Indian Territory,

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated December 3, 1904, dismissing the application for the enrollment of yourself and minor children, Mabel Miles, Oma V. Miles, Lydia Miles and Johnie Eveline Miles, as citizens by blood of the Choctaw Nation.

Respectfully,

[redacted]

Tams Bixby

Chairman.

Registered.

Incl. 1-5178.

Choctaw 8178

COPY.

Muskogee, Indian Territory, December 3, 1904.

West, Gibbs, & Jeiner,
Attorneys at Law,
Ardmore, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated December 3, 1904, dismissing the application for the enrollment of Laura Miles, Mabel Miles, Cora V. Miles, Lydia Miles and Johnie Eveline Miles, as citizens by blood of the Choctaw Nation.

Respectfully,

[redacted]

Tams Bixby

Registered.

Chairman.

Incl. 7-8178.

Choctaw 5178

COPY.

Muskogee, Indian Territory, December 5, 1904.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission, dated December 3, 1904, dismissing the application for the enrollment of Laura Miles, Mabel Miles, Ona V. Miles, Lydia Miles and Johnie Eveline Miles, as citizens by blood of the Choctaw Nation.

Respectfully,

[redacted]

Tams Bixby

Chairman.

Incl. 7-5178.

Muskogee, Indian Territory, August 15,1900.

Messrs West, Gibbs & Joiner,

Ardmore, Indian Territory,

Gentlemen:

The Commission is in receipt of your letter of August 4th, in which you state that Mrs. Laura Miles was admitted to citizenship in the Choctaw Nation in the case of J. M. Hill vs. the Choctaw Nation, but that through an oversight, the name of her only child, Mabel Miles, born August 7th, 1896, was not put in the original application; that afterwards when the Court House in Ardmore burned, and it was supposed that the original papers were destroyed, a supplemental application was filed including the name of Mabel Miles, and she was admitted to citizenship, but her name was afterwards stricken from the rolls by order of the court, because it did not appear in the original application.

You ask to be informed how to proceed to have her re-instated, and state that all of the family of J. M. Hill, including about twenty people, have been admitted, except this one child. You also state that in the original application it appears that Laura Miles and one child, not named, were made parties to the suit.

In reply to your letter, your attention is invited to the following provision contained in the Act of Congress approved May 31st, 1900, (Indian Appropriation Bill):

"But it (the Commission to the Five Civilized Tribes) shall not receive, consider, or make any record of any application of any per-

W.H. & J. 2.

son for enrollment as a member of any tribe in Indian Territory who has not been a recognized citizen thereof, and duly and lawfully enrolled or admitted as such, and its refusal of such application shall be final when approved by the Secretary of the Interior.

Yours truly,

Acting Chairman.

7-8174

Muskogee, Indian Territory, April 26, 1902.

C. E. Miles,
Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Judith Evaline Miles, infant daughter of C. E. and Laura Miles, born March 26, 1902, and the same being in proper form has been duly filed with the records of the Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Commissioner in Charge.

Cloc 5179 D. M. Hylton

#6 Dismissed Jan 24 1945

See C-112

Duplicate record bound

5179

J6D

7-8179.

COPY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Claud Ray Wilcoxson as a citizen by blood of the Choctaw Nation.

---oOo---

The applicant, Claud Ray Wilcoxson, claims the right to enrollment as a citizen by blood of the Choctaw Nation through his mother Pearl M. Wilcoxson.

The right of the applicant's mother, Pearl M. Wilcoxson (as Pearl M. Hyden), to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, of November 26, 1904, in case No. 46 upon the Tishomingo docket of said court, it is hereby ordered that the application of Claud Ray Wilcoxson for enrollment as a citizen by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

SIGNED.

Tams Bixby

Chairman.

Muskogee, Indian Territory,

JAN 24 1905

Choctaw 5179

COPY

Muskogee, Indian Territory, January 24, 1905.

Pearl M. Wilcoxson,

McGee, Indian Territory,

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated January 24, 1905, dismissing the application for the enrollment of your minor child, Claud Ray Wilcoxson, as a citizen by blood of the Choctaw Nation.

Respectfully,

Tams Bixby

Chairman.

Registered.

Ind. T-5179

Choctaw 5179

COPY.

Muskogee, Indian Territory, January 24, 1905.

Mansfield, McMurray & Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission dated January 24, 1905, dismissing the application for the enrollment of Claud Ray Wilcoxson as a citizen by blood of the Choctaw Nation.

Respectfully,

Tams Bixby
Chairman.

Incl. 7-5179

7-6179

Muskogee, Indian Territory, October 27, 1906.

C. C. McCarty,

Durant, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of October 25, 1906, enclosing affidavits of David W. Hyden and Whit W. Hyden in support of the application for the enrollment of David M. Hyden as a citizen of the Choctaw Nation.

In reply you are advised that these affidavits have been filed with the record in this case.

Respectfully,

Commissioner.

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5161.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Henry Pruitt, et al., as citizens of the Choctaw Nation.

D E C I S I O N.

It appears from the record herein that on September 24, 1898, Henry Pruitt (thirty-one years of age) appeared before the Commission to the Five Civilized Tribes and made application for the enrollment of himself as a citizen by intermarriage of the Choctaw Nation, and for the enrollment of his wife, Nancy Pruitt, (twenty-six years of age), and his three minor children, John H. (ten years of age), Ernest A. (eight years of age), and Eula I. Pruitt (seven years of age), as citizens by blood of said nation; that on September 24, 1898, Cecil Smith, (twenty-four years of age), made application for the enrollment of himself as a citizen by intermarriage of the Choctaw Nation, and for the enrollment of his wife, Maud Smith, (twenty-one years of age), and his minor child, Mumford M. Smith (eight months of age), as citizens by blood of said nation; that on September 24, 1898, A. M. Jackson (fifty years of age) made application for the enrollment of himself as a citizen by intermarriage of the Choctaw Nation, and for the enrollment of his wife, Sallie Jackson (forty-eight years of age), and his four minor children, Oscar (eighteen years of age), Willie (fifteen years of age), Albert (thirteen years of age), and Bessie Jackson (ten years of age), as citizens by blood of said nation; that on September 24, 1898, application was made by J. W. Hyden (forty-six years of age) for the enrollment of himself and his four minor children, George (sixteen years of age), Cleveland (fourteen years of age), Maud (nine years of age), and Mollie Hyden (five years of age), as citizens by blood of the Choctaw Nation, and for the enrollment of his wife, Mollie Hyden (thirty-six years of age), as a citizen by intermarriage of said nation; that on September 24, 1898, application was made by B. M. Hyden (forty-two years of age) for the enrollment of himself and his four minor children, Sallie V. Hyden (fifteen years of age), Pearl M. Wilcoxson (thirteen years of age), Samuel M. Hyden (twelve years of age), and Garnett M. Hyden (seven years of age), as citizens by blood of the Choctaw Nation; and that on September 24, 1898, application was made by Nancy J. Reed (fifty-five years of age) for the enrollment of herself, her minor son, Edward Reed (twenty years of age), and her minor grandchild, Willie Mapes (eleven years of age), as citizens by blood of the Choctaw Nation.

On November 13, 1906, written application was filed for the enrollment of Martha Wilcoxson as a citizen by blood of the Choctaw Nation under the provisions of the Act of Congress approved April 26, 1906 (34 Stats., 137).

It further appears from the record herein that on November 14, 1900, application was made to the Commission to the Five Civilized Tribes for the enrollment of Cecil Jackson Smith (born September 17, 1900) as a citizen by blood of the Choctaw Nation; that on May 23, 1902, application was made for the enrollment of Bidrie Beryl Jackson (born March 5, 1901) as a citizen by blood of said nation; that on November 19, 1901, application was made for the enrollment of Nancy Thwaites Hyden (born September 16, 1900) as a citizen by blood of said nation; and that on August 17, 1901, application was made for the enrollment of Claud Ray Wilcoxson (born August 7, 1901) as a citizen by blood of the Choctaw Nation.

It further appears from the records in the possession of the Commissioner to the Five Civilized Tribes that on September 9, 1896, in the case entitled "J. W. Hyden, et al., vs. Choctaw Nation" (1896 Choctaw Citizenship Docket, Case No. 1344), original application was made to the Commission to the Five Civilized Tribes, under the provisions of the Act of Congress approved June 10, 1896 (29 Stats., 321), for admission to citizenship in the Choctaw Nation of the applicants, Henry Pruitt, Nancy Pruitt, John H. Pruitt, Ernest A. Pruitt, Eula I. Pruitt, Cecil Smith, Maud Smith, A. N. Jackson, Sallie Jackson, Oscar Jackson, Willie Jackson, Albert Jackson, Bessie Jackson, J. W. Hyden, Mollie Hyden, George Hyden, Cleveland Hyden, Maud Hyden, Mollie Hyden, D. M. Hyden, Sallie V. Hyden, Pearl M. Hyden (now Wilcoxson), Samuel M. Hyden, Garnett M. Hyden, Nancy J. Hood, Edward Hood and Willie Mapes; and that on December 8, 1896, said Commission rendered its decision therein denying said application.

From this decision an appeal was taken to the United States Court for the Southern District of Indian Territory, which court, on December 21, 1898, in the case entitled "J. W. Hyden, et al., vs. Choctaw Nation", reversed the decision of said Commission, and admitted said applicants as citizens of the Choctaw Nation.

On December 17, 1902, the Choctaw and Chickasaw Citizenship Court, created under the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641), "set aside, annulled, vacated and held for naught" the aforesaid judgment of the United States Court for the Southern District of the Indian Territory.

Thereafter said cause was certified to said Choctaw and Chickasaw Citizenship Court for a trial de novo, and on November 28, 1904, said court, in the case entitled "J. W. Hyden, et al., vs. Choctaw and Chickasaw Nations" (Choctaw-Chickasaw Citizenship Court Case No. 48, Tishomingo Docket), "ordered, adjudged and decreed that the petition of the plaintiffs, J. W. Hyden, Mrs. Mollie Hyden, Cleveland Hyden, Maud Hyden, Mollie Hyden, Sallie Jackson, A. N. Jackson, Nancy Pruitt, or Nancy P. Pruitt, Henry Pruitt, John Henry Pruitt, Evans A Pruitt, Eula Irine Pruitt, or Eula Irene Pruitt, Maud Smith, Cecil Smith, Oscar Jackson, Willie Jackson, Albert Jackson, Bessie Jackson, D. M. Hyden, Pearl Hyden, Sam Hyden, Garnett Hyden, N. J. Hood, Edward Hood, or Elwood Hood, Willie Mapes, or Willie Mapes. . . . . .be denied, and that they be declared not citizens of the Choctaw Nation, and not entitled to enrollment as such citizens, and not entitled to any rights whatever flowing therefrom".

On January 24, 1905, the Commission to the Five Civilized Tribes entered of record orders dismissing the applications for the enrollment of Mumford M. Smith, Cecil Jackson Smith, Eidrie Beryl Jackson, Nancy Thwaites Hyden, and Claud Ray Wilcoxson, for the reason that their parents, through whom they claimed their right to enrollment, had been denied by the Choctaw and Chickasaw Citizenship Court. On February 9, 1905, the application for the enrollment of George Hyden was dismissed for the reason that he failed to appeal to said Choctaw and Chickasaw Citizenship Court.

Under the regulations adopted by the Commissioner to the Five Civilized Tribes January 2, 1906, there were filed by Grace, Gruce and Bleakmore, attorneys at law, Ardmore, Indian Territory, on April 2, 1906, petitions praying for the enrollment of Henry Pruitt, Mannie Jackson Pruitt, John Pruitt, Earnest A. Pruitt, Eula Irene Pruitt, A. M. Jackson, Sarah L. Jackson, Albert M. Jackson, and William D. Jackson as citizens of the Choctaw Nation, and on April 21, 1906, petitions were filed praying for the enrollment of J. W. Hyden, Mollie Hyden, Cleave Hyden, Maude Hyden, Mollie Hyden, Jr., Thwaites Hyden, D. M. Hyden, Sarah V. Hyden Byars, Pearl M. Hyden Wilcoxson, Samuel M. Hyden, Garnette M. Hyden, Levi Byars, Ray Wilcoxson, Bud Wilcoxen, Nancy J. Hood, Ed Hood, Willie Gilliland, Cecil Smith, Maud Jackson Smith, Mumford M. Smith, Cecil Smith, Jr., Oscar K. Jackson, Edna Byrl Jackson and Bessie Jackson Shi as citizens of the Choctaw Nation.

All of the above petitioners are identical with the applicants for whom application was theretofore made for enrollment as citizens of the Choctaw Nation, with the exception of George Hyden, Levi Byars and Bud Wilcoxen. Levi Byars was born November 15, 1900, and Bud Wilcoxen was born February 23, 1903.

The record in this case shows that the applicants, D. M. Hyden, Nancy J. Hood, Sallie Mackson, and J. W. Hyden, are the children of Samuel Hyden, who was the son of John Hyden and one Elizabeth Brashears, who is alleged to have been a Choctaw by blood, who resided in the State of Mississippi; that Sallie E. Hyden, Pearl M. Wilcoxson, Samuel M. Hyden and Garnett M. Hyden are the children of said D. M. Hyden and Vicey Hyden (deceased), a non-citizen; that Claud Ray Wilcoxson is the son of Pearl M. Wilcoxson and William Wilcoxson, a non-citizen; that the applicant, Edward Hood, is the son of Nancy J. Hood and J. T. Hood (deceased), a non-citizen; that Willie Mapes is the daughter of Lenora Mapes (deceased) who was the daughter of said Nancy J. Hood and J. T. Hood; that Oscar Jackson, Willie Jackson, Albert Jackson, Bessie Jackson, Maud Smith and Nancy Pruitt are the children of the applicants, Sallie Jackson and A. M. Jackson; that John M. Pruitt, Ernest A. Pruitt and Henry Pruitt; that Mumford M. Smith and Cecil Jackson Smith are the children of the applicants, Maud Smith and Cecil Smith; that Eidrie Beryl Jackson is the daughter of the applicant, Oscar Jackson, and Georgia Bell Jackson, a non-citizen; and that George Hyden, Cleveland Hyden, Maud Hyden, Mollie Hyden and Nancy Thwaites Hyden are the children of the applicants, J. W. Hyden and Mollie Hyden.

It further appears from the record herein that Henry Pruitt claims his right to enrollment as a citizen by intermarriage of the Choctaw Nation by reason of his marriage under the laws of

the state of Texas, to the applicant, Nancy Pruitt; that Cecil Smith claims his right to enrollment as a citizen by intermarriage of said nation by virtue of his marriage to the applicant, Maud Smith; that A. M. Jackson claims his right to enrollment as a citizen by intermarriage of said nation by reason of his marriage to the applicant, Sallie Jackson; and that Nellie Hyden claims her right to enrollment as a citizen by intermarriage of said nation by reason of her marriage to the applicant, J. W. Hyden.

Upon an examination of the tribal rolls of the Choctaw Nation in the possession of this office it appears that the applicants, Nancy Pruitt, John H. Pruitt, Ernest A. Pruitt, Eula I. Pruitt, Maud Smith, Sallie Jackson, Oscar Jackson, Willie Jackson, Albert Jackson, Bessie Jackson, J. W. Hyden, George Hyden, Cleveland Hyden, Maud Hyden, Nellie Hyden, D. M. Hyden, Sallie V. Hyden, Pearl M. Wilcoxson, Samuel M. Hyden, Garnett M. Hyden, Nancy J. Hood and Willie Mapes, are identified upon the 1896 Choctaw Census Roll, opposite numbers 10618, 10620, 10623, 10624, 7411, 7410, 1412, 7413, 7414, 7415, 6187, 6188, 6191, 6190, 6189, 6192, 6193, 6 194, 6195, 6196, 6172 and 8936, respectively. The applicants, Henry Pruitt, Cecil Smith, A. M. Jackson and Nellie Hyden, are identified upon the 1896 Choctaw Census Roll, opposite numbers 14952, 15084, 14714, and 14675, respectively, enrolled thereon as citizens by intermarriage of the Choctaw Nation. The persons above mentioned were placed on the 1896 Choctaw Census Roll by the Choctaw Revisery Board in January, 1897.

It does not appear from the record herein or from the records in the possession of this office that the applicant, Edward Hood, has ever been enrolled by the Choctaw tribal authorities as a member of the Choctaw tribe, or admitted to Choctaw citizenship by any duly constituted authority.

The record in this case further shows that George Hyden and Sallie V. Hyden died prior to September 25, 1902.

Relative to the question whether or not the applicants herein are possessed of Choctaw blood, there has been submitted the testimony of J. W. Hyden, D. M. Hyden, Edward M. Everidge and Joseph R. Lawrence.

J. W. Hyden, on November 13, 1906, testified that he was fifty-four years of age, and the son of Samuel Hyden, a Choctaw by blood, and Nancy D. Hyden, a white woman; that Samuel Hyden was born in the State of Virginia, afterwards removing to the State of Missouri, and then to the State of Texas; that Samuel Hyden was the son of John Hyden, a white man, and Elizabeth Hyden (nee Brashears), a one-half blood Choctaw Indian; and that said Elizabeth Brashears was the daughter of Turner Brashears.

D. M. Hyden, on said date, also testified that he was fifty years of age, and that he did not know any of his family history other than that he understood that Elizabeth Brashears was his grandmother, and that Turner Brashears was her father.

On January 15, 1907, Edward M. Everidge testified that he was fifty-five years of age and the son of Joel W. Everidge, a Choctaw by blood, who died in 1901, at the age of seventy-three, and Sophia Everidge, also a Choctaw by blood, who was born in about the year 1830; that Joel W. Everidge was the son of Thomas Everidge, a white man, and Eve Brashears, a one-half blood Choctaw Indian, who died between the years 1870 and 1875; and that said Eve Brashears was the daughter of R. Turner Brashears, a white man. Said

witness further testified that Eve Brashears had two full brothers and two full sisters, whose names were Elizabeth, Lewis, Ben and Isabella; that he had been acquainted with the principal applicants herein only a few years, and that only information he had relative to the question whether or not the applicants are possessed of Choctaw blood was a statement made to him by his father to the effect that they were related to him, witness' grandmother being a full sister of the grandmother of the principal applicants herein.

Joseph R. Lawrence, on January 30, 1907, testified that he was seventy-three years of age, and was born in the Indian Territory; that he was the son of David Lawrence and Mary L. Lawrence; that Mary L. Lawrence was the daughter of Joseph Fisher and Elizabeth Fisher, the latter being a daughter of Turner Brashears; that Elizabeth Fisher (nee Brashears) was born in Mississippi and died there prior to the witness' birth; that she had four children by her husband, Joseph Fisher, whose names were Silas D., Mary L., Rebecca and Narcissie; that he was personally acquainted with Joseph Fisher, the husband of Elizabeth Fisher, having resided with him in the Indian Territory for a period of eight years, said Joseph Fisher dying when the witness was fourteen years of age; and that at no time had he ever heard that Elizabeth Fisher (nee Brashears) had ever been married to any one other than Joseph Fisher, or that she had ever had any children other than those above mentioned. Said witness further testified that it was his understanding from family history that Turner Brashears had two daughters, one named Elizabeth, who was his grandmother, and one named Eve, who married an Everidge.

I am of the opinion that the evidence establishes that the applicants herein are not descendants of the Elizabeth Brashears she was the daughter of Turner Brashears, and that they are not possessed of Choctaw blood?

I am further of the opinion that the applicants herein who were enrolled upon the 1896 Choctaw Census Roll as citizens by blood of the Choctaw Nation were placed thereon without authority of law; and that their names should be stricken therefrom, under the provisions of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

I am further of the opinion that the applications for the enrollment of Nancy Pruitt, John H. Pruitt, Ernest A. Pruitt, Eula I. Pruitt, Maud Smith, Sallie Jackson, Oscar Jackson, Willie Jackson, Albert Jackson, Bessie Jackson, J. W. Hyden, Cleveland Hyden, Maud Hyden, Mallie Hyden, D. M. Hyden, Pearl M. Wilcoxson, Samuel M. Hyden, Garnett M. Hyden, Nancy J. Reed, Edward Reed and Willie Hayes as citizens by blood of the Choctaw Nation, and the petitions herein in so far as they apply to said applicants, should be denied, under the provisions of the Acts of Congress approved June 28, 1898 (30 Stats., 495), and July 1, 1902 (32 Stats., 641), and it is so ordered.

I am further of the opinion that the orders of the Commission to the Five Civilized Tribes of January 24, 1906, and February 9, 1906, dismissing the applications for the enrollment of Rumford M. Smith, Cecil Jackson Smith, Eldrie Beryl Jackson, George Hyden, Nancy Thwaites Hyden and Claud Ray Wilcoxson, as citizens by blood of the Choctaw Nation should be rescinded, and that the applications for the enrollment of all of said applicants, with the exception of George Hyden, and the petitions herein in so far as they apply to said applicants, should be denied, under the provisions of the Acts of Congress approved June 28, 1898 (30 Stats., 495), and July 1, 1902 32 Stats., 641), and it is so ordered.

I am further of the opinion that the applications for the enrollment of Henry Pruitt, Mallie Hyden, Cecil Smith and A. M. Jackson as citizens by intermarriage of the Choctaw Nation, and the petitions herein in so far as they apply to said applicants, should be denied, under the provisions of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

I am further of the opinion that the petition for the enrollment of Levi Byars and Bud Wilcoxson as citizens of the Choctaw Nation should be considered as an application for their enrollment as citizens by blood of said nation under the provisions of the Act of Congress approved April 26, 1906 (34 Stats., 137), and that said applications should be denied under the provisions of said act, and it is so ordered.

I am further of the opinion that inasmuch as George Hyden and Sallie V. Hyden died prior to September 25, 1902, their applications for enrollment as citizens by blood of the Choctaw Nation, and the petitions herein in so far as they apply to said applicants, should be dismissed, and it is so ordered.

I am further of the opinion that inasmuch as the application for the enrollment of Martha Wilcoxson as a citizen by blood of the Choctaw Nation was not made within the time limited by Section Two of the Act of Congress approved April 26, 1906 (34 Stats?, 137), I am without authority to receive or consider any application for enrollment as such; that I should decline to receive the same, and it is so ordered.

(signed) TAMS BIXBY,

Commissioner.

Muskogee, Indian Territory,

Feb. 25, 1907.

W R E.

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DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS, 68

Enrollment case of
J. E. Hyden et al,

WASHINGTON, May 20 1909

The Commissioner
to the Five Civilized Tribes,
Muskogee, Oklahoma.

Sir:

There is transmitted herewith a letter dated May 18, 1909, from Sarah L. Jackson, who claims a right to enrollment as a citizen of the Choctaw Nation. She requests information as to whether her case is analogous to that of John K. Goldsby (211 U. S. 249). You are requested to furnish a report concerning her case, following the general instructions contained in Department letter of March 15, 1909 (File 8-31).

Very respectfully,

E. B. Meritt

Chief Clerk.

WCMcD-MT
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Muskogee, Oklahoma, June 14,1909.

Subject:

Enrollment case of
J. V. Tyner et al.

The Honorable,

The Commissioner of Indian Affairs,

Sirs

Receipt is here by acknowledged of Indian Office letter of May 25, 1909 (Land 39478-1909, J M) transmitting for report, letter of May 15, 1909, from Sarah L. Johnson, who claims a right to enrollment as a citizen of the Cherokee Nation, and desires information as to whether her case is analogous to that of John E. Goldby (Vol E, p. 161).

Report is requested, following the general instructions contained in Departmental letter of March 15, 1909 (Vol 6-61).

Reporting in this matter I have the honor to advise that it appears from the records of this office that on September 9, 1896, original application was made to the Commission to the Five Civil ed Tribes, in the name entitled J. V. Tyner et al. versus the Cherokee Nation, 1896 Cherokee Citizenship Court Number 1344, for admission as citizens of the Cherokee Nation of the applicants, Henry Pruitt, Emily Pruitt, John H. Pruitt, Ernest A. Pruitt,

I. T. 2

Eula I. Pruitt, Cecil Smith, Maud Smith, A M Jackson, Phillip Jackson, Oscar Jackson, Willie Jackson, Albert Jackson, Minnie Jackson, J. W. Hyden , Phillip Hyden, George Hyden, Cleveland Hyden, Maud Hyden, Phillip Hyden, B. M. Hyden, Billie V. Hyden, Pearl M. Hyden (now Wilmington), Samuel M. Hyden, Garnett M. Hyden, Henry J. Hood, Edward Hood and Willie Hayes; and that on December 8, 1896, said Commission rendered its decision denying this application.

From this decision an appeal was taken to the United States Court for the Southern District of Indian Territory, which court, on November 21, 1898, in the cause entitled J. W. Hyden et al, versus the Choctaw Nation, reversed the decision of said Commission and admitted the applicants as citizens of the Choctaw Nation.

Pursuant to this judgment of the United States Court the persons named above made application to the Commission to the Five Civilized Tribes for the enrollment of themselves and their minor children, born since the date of the original application, as citizens of the Choctaw Nation under the provisions of the Act of Congress approved June 28, 1898 (30 Stat.,495).

December 17, 1902, the Choctaw and Chickasaw Citizenship Court, created under the provisions of the Act of Congress approved July 1, 1902 (32 Stat.,641), met again, organized, reopened and held for naught the judgment of the United States Court for the Southern District aforesaid, in the test suit, entitled the

Cherokee and Chickasaw Nations or Tribes versus J. T. Riddle et al.

Subsequently this cause was certified to the Cherokee and Chickasaw Citizenship Court for a trial de novo and on November 28, 1904, in the case entitled J. W. Hyden et al. versus the Cherokee and Chickasaw Nations, Open Docket 48 on the Tishomingo Docket, said Court ordered, adjudged and decreed that the petition of the plaintiffs be denied and that they be declared not citizens of the Cherokee Nation, and not entitled to enrollment as such citizens, and not entitled to any rights whatever flowing therefrom.

January 24, 1905, the Commission to the Five Civilized Tribes entered of record orders dismissing the applications for enrollment of Rumford M. Smith, Cecil Jackson Smithy Edris Beryl Jackson, Henry Thwaites Hyden and Claud Ray Vilcoxson, for the reason that their parents, through whom they claimed the right to enrollment, had been denied by the Cherokee and Chickasaw Citizenship Court.

February 9, 1905, the application for the enrollment of George Hyden was dismissed by the Commission for the reason that he failed to take an appeal to the Cherokee and Chickasaw Citizenship Court.

Under the regulations adopted by the Commissioner to the Five Civilized Tribes January 2, 1906, there were filed by Evans, Cruce & Blackmore, attorneys at law, Ardmore, Indian Territory, on April 2, 1906, petitions praying for the enrollment of Henry

Pruitt, Minnie Jackson Pruitt, John Pruitt, Ernest A. Pruitt, Nola Irene Pruitt, A. M. Jackson, Sarah L. Jackson, Albert M. Jackson, and William M. Jackson, and on April 21, 1906, petitions were filed praying for the enrollment of J. W. Ryden, Millie Ryden, Cleave Ryden, Vande Ryden, Willie Ryden Jr., Thwaites Ryden, D. M. Ryden, Sarah V. Ryden Byars, Pearl M. Ryden Wilcoxen, Samuel M. Ryden, Garnette M. Ryden, Levi Byars, Ray Wilcoxen, Rad Wilcoxen, Nancy J. Reed, Ed Reed, Willie Williland, Cecil Smith, Maud Jackson Smith, Bamford M. Smith, Cecil Smith Jr., Oscar M. Jackson, Edna Myrl Jackson and Bessie Jackson Shi as citizens of the Choctaw Nation.

The names of Nancy Pruitt, John M. Pruitt, Ernest A. Pruitt, Nola I. Pruitt, Maud Smith, Millie Jackson, Oscar Jackson, Willie Jackson, Albert Jackson, Bessie Jackson, J. W. Ryden, George Ryden, Cleveland Ryden, Maud Ryden, Millie Ryden, D. M. Ryden, Millie V. Ryden, Pearl M. Wilcoxen, Samuel M. Ryden, Garnett M. Ryden, Nancy J. Reed and Willie Hayes are identified upon the 1896 Census Roll of the Choctaw Nation as citizens by blood, and Henry Pruitt, Cecil Smith, A. M. Jackson and Millie Ryden are identified upon the same roll as Choctaws by marriage, their names having been placed thereon by the Choctaw Revisory Board in January 1897.

February 28, 1907, the Commissioner to the Five Civilized Tribes approved a decision denying the applications for the enrollment of all the persons included in said case and on the same

date the record in the case was transmitted to the Secretary of the Interior.

March 2, 1907 (Land 20936-1907) the Indian Office recommended the approval of the Commissioner's decision of February 28, 1907 and on March 4, 1907 (I T D 4598,5186, 6184,6296, 6952, 7112, 7450, 7452, 7456, 7464, 7484, 7486, 7664, 7688, 7692, 7706, 7710, 7722, 7728, 7732, 7740, 7750, 7756, 7816, 7870, 7832 - 1907) the Secretary of the Interior affirmed the decision refusing the applications in the case of Henry Pruitt.

It appears that the person referred to in the application made to the Commission to the Five Civilized Tribes on September 9, 1896,as Sallie Jackson,and in the petition filed under the Regulations adopted by the Commissioner to the Five Civilized Tribes January 2, 1906, as Sarah L. Jackson, is identical with the writer of the communication inclosed with Indian Office letter of May 29, 1909.

The records of this office do not show that any favorable decision was ever rendered in this case by the Department.

Inasmuch as these persons were not upon an approved roll of citizens of the Choctaw Nation no formal allotments were made to them.

In view of the holding of the Department on June 1, 1909, in the Chickasaw case of Joseph C. Moore et al. it is believed that this case is not analogous to that of John M. Goldsby (211 U.S.249)

I 0 4

The recommendation of Joseph L. Jackson of May 16, 2005, is herewith submitted.

Responsibility,

Commissioner,

Chapter 8125

AB

(Copy) 1

Land.
4004-1909
J M D.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON.

JUL 19 1909

Choctaw enrollment claim
of Sarah L. Jackson.

The Commissioner
to the Five Civilized Tribes,

Muskogee, Oklahoma.

Sir:-

Referring to your report of June 18, 1909, relative to the claim of Sarah L. Jackson to enrollment as a citizen of the Choctaw Nation, you are advised that on June 30, 1909, the Department held that the case of the person mentioned was not analogous to that of John E. Goldsby, and did not come within the principles announced by the Supreme Court of the United States in its decision of November 30, 1908 in that case (211 U. S. 249), and therefore declined to take any action looking to the enrollment of Sarah L. Jackson as a citizen of the Choctaw Nation.

Copies of Office letter of June 29, 1909, and of Department letter of June 30, 1909, are enclosed for your further information. You are requested to notify the parties in interest.

Very respectfully,

(Signed) John Francis Jr
Acting Chief Clerk.

WCB-1
3086

Land.
[illegible]-1909
J I D

Enrollment case
of Henry Pruitt, et al. FEB 24 1909

The Honorable

The Secretary of the Interior.

Sir:

There is transmitted herewith a report from the Commissioner to the Five Civilized Tribes, dated June 18, 1909, relative to the claim of Sarah L. Jackson to enrollment as a citizen of the Choctaw Nation. The person named was one of the applicants in the case of Henry Pruitt, et al.

It does not appear that the Department ever rendered any decision in favor of the applicants therein. The Office is of the opinion that the case is not analogous to that of John E. Goldsby, and does not come within the principles announced by the Supreme Court of the United States in that case (211 U. S. 249).

The Office therefore recommends that no action be taken by the Department looking to the enrollment of Sarah L. Jackson, or any of the other applicants in the case of Henry Pruitt, et al.

The records in the case is inclosed for your further information.

Very respectfully,

EFS-22
2149

Approved: (Signed) R. G. Valentine
Commissioner.

First Assistant Secretary.

(Copy) 1

Land
48051-1909
J E D

2-19392

Enrollment case
of Henry Pruitt, et al.

JUN 29 1909

The Honorable

The Secretary of the Interior.

Sir;

There is transmitted herewith a report from the Commissioner to the Five Civilized Tribes, dated June 18, 1909, relative to the claim of Sarah L. Jackson to enrollment as a citizen of the Choctaw Nation. The person named was one of the applicants in the case of Henry Pruitt, et al.

It does not appear that the Department ever rendered any decision in favor of the applicants therein. The Office is of the opinion that the case is not analogous to that of John E. Goldsby, and does not come within the principles announced by the Supreme Court of the United States in that case (211 U. S. 249).

The Office therefore recommends that no action be taken by the Department looking to the enrollment of Sarah L. Jackson, or any of the other applicants in the case of Henry Pruitt, et al.

The record in the case is inclosed for your further information.

Very respectfully,

(Signed) R. C. Valen
Commissioner.

EMS-22
2540

Approved.
First Assistant Secretary.

Muskogee, Indian Territory, July 8, 1901.

Mr. J. [illegible] Retenberry,

Medee, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 1st instant, in which you desire to be informed if D. W. and W. W. Hyden are on the rolls of citizenship of the Choctaw Nation.

Replying to your letter you are informed that information relative to the enrollment of persons as citizens of the Choctaw and Chickasaw Nations is only furnished to the applicants themselves, or to their duly authorized attorneys of record, who must be an attorney or agent admitted to practice before the Commission to the Five Civilized Tribes.

It does not appear that you have ever been so admitted to practice, and enclosed you will find a copy of the rules and regulations which have been promulgated. All attorneys or agents who desire to represent claimants before the Commission, will be required to comply with these rules.

For your convenience there is enclosed herewith a blank oath which may be executed to comply with Rule 4. Please see that the application is made in strict compliance with Rules 1, 4, 5 and 6.

Compliance with the regulations governing the recognition of

J. J. R. --2.

attorneys and agents will be waived as to the inquiry made by you at this time, but you are requested to comply with these rules and regulations at as early a date as possible if you are desirous of representing claimants before the Commission.

Replying further to your inquiry and request, you are informed that it appears that on September 24, 1898, D. M. Hyden, of McGee, Indian Territory, was listed for enrollment as a citizen of the Choctaw Nation, having been identified by the Commission from the 1896 Census Roll of Choctaws residing in the Chickasaw Nation, and that he was also admitted to citizenship in the Choctaw Nation by a judgment of the United States Court for the Southern District of the Indian Territory, December 22, 1897, in Court Case No. 141.

As to the other person of whom you inquire, it appears that Whit W. Hyden, 53 years of age, of McGee, Indian Territory, on September 13, 1898, made personal application for the enrollment of himself and wife and minor children as citizens of the Choctaw Nation. The names of these persons were duly identified as being upon the 1896 Census Roll of Choctaws residing in the Chickasaw Nation, but the Commission did not at that time feel warranted in listing them for enrollment, and their names were placed upon the list of doubtful claimants to enrollment in the Choctaw Nation.

It is impossible to inform you at this time as to any definite action relative to the rights to enrollment of these persons.

Yours truly,

7-5179
7-B-16
DaB-83

Commissioner in charge.

Muskogee, Indian Territory, August 19, 1901.

Joseph A. Edwards,
Notary public,
Boley, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 13th instant, enclosing marriage license and certificate between [redacted] Willie Wilcoxson and Pearl May Hyden, and the same has been duly filed with the records of the Commission.

There is also enclosed in your letter the application for enrollment as a citizen of the Choctaw Nation of Cloud Ray Wilcoxson, the infant son of William and Pearl May Wilcoxson born August 7, 1901 and the same being in proper form has been duly filed with the records of the Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

You request that a number of blanks for the enrollment of infant children be sent young you are informed that ten such blanks have been sent you this day under separate cover.

Yours truly,

7-5179

Commissioner in charge.

7-8179.

Muskogee, Indian Territory, October 30, 1906.

D. M. Hyden,

McGee, Indian Territory.

Dear Sir:

You are hereby notified to appear before a representative of the Commissioner to the Five Civilized Tribes at the Land Office at Ardmore, Indian Territory, on Friday, November 9, 1906, at nine o'clock A. M., for the purpose of giving testimony relative to the exact date of the death of your daughter, Sallie V. Hyden, and the dates of the birth of your minor grandchildren, Bud Wilcoxson and Levi Byars.

Respectfully,

Commissioner.

7-5179.

Muskogee, Indian Territory, October 30, 1906.

D. M. Hyden,

McGee, Indian Territory.

Dear Sir:

You are hereby notified to appear before a representative of the Commissioner to the Five Civilized Tribes at the Land Office at Ardmore, Indian Territory, on Friday, November 9, 1906, at nine o'clock A. M., for the purpose of giving testimony relative to the exact date of the death of your daughter, Sallie V. Hyden, and the dates of the birth of your minor grandchildren, Bud Wilcoxson and Levi Byars.

Respectfully,

Commissioner.

7-5179.

Muskogee, Indian Territory, October 30, 1906.

Cruce, Cruce & Bleakmore,
Attorneys at Law,
Ardmore, Indian Territory.

Gentlemen:

This office has this day notified D. M. Hyden of McGee, Indian Territory, to appear before a representative of the Commissioner to the Five Civilized Tribes at the Land Office, at Ardmore, Indian Territory, on Friday, November 9, 1906, at nine o'clock A. M., for the purpose of giving testimony relative to the exact date of the death of his daughter, Sallie V. Hyden, and the dates of the birth of his minor grandchildren, Bud Wilcoxson and Levi Byars.

Respectfully,

Commissioner.

7-6179.

Muskogee, Indian Territory, October 30, 1906.

Cruce, Cruce & Bleakmore,

Attorneys at Law,

Ardmore, Indian Territory.

Gentlemen:

This office has this day notified D. M. Hyden of McGee, Indian Territory, to appear before a representative of the Commissioner to the Five Civilized Tribes at the Land Office, at Ardmore, Indian Territory, on Friday, November 9, 1906, at nine o'clock A. M., for the purpose of giving testimony relative to the exact date of the death of his daughter, Sallie V. Hyden, and the dates of the birth of his minor grandchildren, Bud Wilcoxson and Levi Byars.

Respectfully,

Commissioner.

7-2179.

Muskogee, Indian Territory, October 30, 1906.

Mansfield, McMurray & Cornish,
Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

This office has this day notified D. M. Hyden of McGee, Indian Territory, to appear before a representative of the Commissioner to the Five Civilized Tribes at the Land Office at Ardmore, Indian Territory, on Friday, November 9, 1906, at nine o'clock A. M., for the purpose of giving testimony relative to the exact date of the death of his daughter, Sallie V. Hyden, and the dates of the birth of his minor grandchildren, Bud Wilcoxson and Levi Byars.

Respectfully,

Commissioner.

7-8179.

Muskogee, Indian Territory, October 30, 1906.

Mansfield, McMurray & Cornish,
Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

This office has this day notified D. M. Hyden of McAlester, Indian Territory, to appear before a representative of the Commissioner to the Five Civilized Tribes at the Land Office at Ardmore, Indian Territory, on Friday, November 9, 1906, at nine o'clock A. M., for the purpose of giving testimony relative to the exact date of the death of his daughter, Sallie V. Hyden, and the dates of the birth of his minor grandchildren, Bud Wilcoxson and Levi Byars.

Respectfully,

Commissioner.

Chac 5180 Nancy D. Hyden

Dismissed Jan 26 1965

518

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the application for the enrollment, as a citizen by intermarriage of the Choctaw Nation, of:

NANCY D. HYDEN 7-5180.

Choctaw Court Card C. 225

Testimony of Nancy D. Hyden.

(See testimony of D.M.Hyden, Choctaw Court Card 224).

Nancy D. Hyden

enrolled.

w Court Card C. 224

of D.M.Hyden and others.

D.M.Hyden says:

Sallie V. was admitted as "Sallie"

Pearl M. was admit ted as "Pearl"
Samuel M. was admitted as "Sam"
Garnett Maud was admitted as "Garnett".

Nancy D. Hyden is my mother.

I have been reséding in the Chickasaw Nation since June 1895, continuously. My mother lives with me.

Ardmore, Sept. 24 1898.

D.M.Hyden
Sallie V. Hyden
Pearl M. Hyden
Samuel M. Hyden
Garnett Maud Hyden

enrolled.

D66)

7-5180.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Nancy D. Hyden as a citizen by intermarriage of the Choctaw Nation.

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It appears from the records of the Commission to the Five Civilized Tribes that on September 9, 1896, in the case entitled "J. W. Hyden, et al., vs. Choctaw Nation" (1896 Choctaw Citizenship Docket, case number 1344), original application was made to this Commission, under the provisions of the act of Congress approved June 10, 1896 (29 Stat., 321), for the admission of the applicant, Nancy D. Hyden, as a citizen by intermarriage of the Choctaw Nation, and on December 8, 1896 said applicant was by this Commission denied admission as a citizen by intermarriage of the Choctaw Nation. From this decision of the Commission an appeal was taken to the United States Court for the Southern District of Indian Territory, which court on December 21, 1898, in the case entitled "J. W. Hyden, et al., vs. Choctaw Nation" (Citizenship Case number 141), reversed the decision of the Commission denying the said Nancy D. Hyden admission to citizenship in the Choctaw Nation and admitted the said Nancy D. Hyden as a citizen by intermarriage of the Choctaw Nation.

It further appears from the records in the possession of the Commission that on December 17, 1902, the Choctaw and Chickasaw Citizenship Court, created by the provisions of the act of Congress approved July 1, 1902 (32 Stat., 641), "set aside, annulled, vacated and held for naught" the aforesaid judgment of the United States Court for the Southern District of Indian Territory. Said cause, as to the applicant herein, has not been appealed or certified to the said Choctaw and Chickasaw Citizenship Court for a trial de novo within the time prescribed by the provisions of said act of Congress approved July 1, 1902.

In accordance with the opinion of the Acting Attorney General dated May 9, 1904 (I.T.D. 3824-1904) and the opinion of the Assistant Attorney General for the Department of the Interior dated July 30, 1904 (I.T.D. 5246-1904) the Commission to the Five Civilized Tribes is without authority

2.

to take any action of any character looking to the enrollment of Nancy D. Hyden as a citizen by intermarriage of the Choctaw Nation, and it is, therefore, hereby ordered that the application of Nancy D. Hyden for enrollment as a citizen by intermarriage of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Chairman.

Muskogee, Indian Territory,

JAN 26 1905

Choctaw 8180

COPY.

Muskogee, Indian Territory, January 26, 1905.

Nancy D. Hyden,

McGee, Indian Territory,

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated January 26, 1905, dismissing your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

Respectfully,

ENGINEER

Tams Bixby

Chairman.

Registered.

Incl. 7-8180.

Choctaw 5180

COPY.

Muskogee, Indian Territory, January 26, 1905.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission dated January 25, 1905, dismissing the application for the enrollment of Nancy D. Hyden as a citizen by intermarriage of the Choctaw Nation.

Respectfully,

SIGNED:

Tams Bixby

Chairman.

Incl. 7-5180.

Choc 5181 Nancy J. Hood

5181

C- 112
119
118
121
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7-5187
5186
5183
5184
5179
5181.

COPY

O.L.J.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Henry Pruitt, et al., as citizens of the Choctaw Nation.

D E C I S I O N.

It appears from the record herein that on September 24, 1898, Henry Pruitt (thirty-one years of age) appeared before the Commission to the Five Civilized Tribes and made application for the enrollment of himself as a citizen by intermarriage of the Choctaw Nation, and for the enrollment of his wife, Nancy Pruitt (twenty-six years of age), and his three minor children, John H. (ten years of age), Ernest A. (eight years of age), and Eula I. Pruitt (seven years of age), as citizens by blood of said nation; that on September 24, 1898, Cecil Smith, (twenty-four years of age), made application for the enrollment of himself as a citizen by intermarriage of the Choctaw Nation, and for the enrollment of his wife, Maud Smith (twenty-one years of age), and his minor child, Mumford M. Smith (eight months of age), as citizens by blood of said nation; that on September 24, 1898, A. M. Jackson (fifty years of age) made application for the enrollment of himself as a citizen by intermarriage of the Choctaw Nation, and for the enrollment of his wife, Sallie Jackson (forty-eight years of age), and his four minor children, Oscar (eighteen years of age), Willie (fifteen years of age), Albert (thirteen years of age), and Bessie Jackson (ten years of age), as citizens by blood of said nation; that on September 24, 1898, application was made by J. W. Hyden (forty-six years of age) for the enrollment of himself and his four minor children, George (sixteen years of age), Cleveland (fourteen years of age), Maud (nine years of age), and Mollie Hyden (five years of age), as citizens by blood of the Choctaw Nation, and for the enrollment of his wife, Mollie Hyden (thirty-six years of age), as a citizen by intermarriage of said nation; that on September 24, 1898, application was made by D. M. Hyden (forty-two years of age) for the enrollment of himself and his four minor children, Sallie V. Hyden (fifteen years of age), Pearl M. Wilcoxson (thirteen years of age), Samuel M. Hyden (twelve years of age), and Garnett M. Hyden (seven years of age), as citizens by blood of the Choctaw Nation; and that on September 24, 1898, application was made by Nancy J. Reed (fifty-five years of age) for the enrollment of herself, her minor son, Edward Reed (twenty years of age), and her minor grandchild, Willie Mapes (eleven years of age), as citizens by blood of the Choctaw Nation.

On November 13, 1906, written application was filed for the enrollment of Marthy Wilcoxson as a citizen by blood of the Choctaw Nation under the provisions of the Act of Congress approved April 26, 1906 (34 Stats., 137).

It further appears from the record herein that on November 14, 1900, application was made to the Commission to the Five Civilized Tribes for the enrollment of Cecil Jackson Smith (born September 17, 1900) as a citizen by blood of the Choctaw Nation; that on May 25, 1901, application was made for the enrollment of Eddrie Beryl Jackson (born March 5, 1901) as a citizen by blood of said nation; that on November 19, 1901, application was made for the enrollment of Nancy Thwaites Hyden (born September 16, 1900) as a citizen by blood of said nation; and that on August 17, 1901, application was made for the enrollment of Claud Ray Wilcoxson (born August 7, 1901) as a citizen by blood of the Choctaw Nation.

It further appears from the records in the possession of the Commissioner to the Five Civilized Tribes that on September 9, 1896, in the case entitled "J. W. Hyden, et al., vs. Choctaw Nation" (1896 Choctaw Citizenship Docket, Case No. 1344), original application was made to the Commission to the Five Civilized Tribes, under the provisions of the Act of Congress approved June 10, 1896 (29 Stats., 321), for admission to citizenship in the Choctaw Nation of the applicants, Henry Pruitt, Nancy Pruitt, John H. Pruitt, Ernest A. Pruitt, Eula I. Pruitt, Cecil Smith, Maud Smith, A. M. Jackson, Sallie Jackson, Oscar Jackson, Willie Jackson, Albert Jackson, Bessie Jackson, J. W. Hyden, Mollie Hyden, George Hyden, Cleveland Hyden, Maud Hyden, Mollie Hyden, D. M. Hyden, Sallie V. Hyden, Pearl M. Hyden (now Wilcoxson), Samuel M. Hyden, Garnett M. Hyden, Nancy J. Hood, Edward Hood and Willie Mapes; and that on December 8, 1896, said Commission rendered its decision therein denying said application.

From this decision an appeal was taken to the United States Court for the Southern District of Indian Territory, which court, on December 21, 1898, in the case entitled "J. W. Hyden, et al., vs. Choctaw Nation", reversed the decision of said Commission, and admitted said applicants as citizens of the Choctaw Nation.

On December 17, 1902, the Choctaw and Chickasaw Citizenship Court, created under the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641), "set aside, annulled, vacated and held for naught" the aforesaid judgment of the United States Court for the Southern District of the Indian Territory.

Thereafter said cause was certified to said Choctaw and Chickasaw Citizenship Court for a trial de novo, and on November 28, 1904, said court, in the case entitled "J. W. Hyden, et al., vs. Choctaw and Chickasaw Nations" (Choctaw-Chickasaw Citizenship Court Case No. 48, Tishomingo Docket), "ordered, adjudged and decreed that the petition of the plaintiffs, J. W. Hyden, Mrs. Mollie Hyden, Cleveland Hyden, Maud Hyden, Mollie Hyden, Sallie Jackson, A. M. Jackson, Nancy Pruitt, or Nancy P. Pruitt, Henry Pruitt, John Henry Pruitt, Evans A. Pruitt, Eula Irine Pruitt, or Eula Irene Pruitt, Maud Smith, Cecil Smith, Oscar Jackson, Willie Jackson, Albert Jackson, Bessie Jackson, D. M. Hyden, Pearl Hyden, Sam Hyden, Garnett Hyden, M. J. Hood, Edward Hood, or Elwood Hood, Willie Mapes, or Willie Mapes . . . . . be denied, and that they be declared not citizens of the Choctaw Nation, and not entitled to enrollment as such citizens, and not entitled to any rights whatever flowing therefrom."

On January 24, 1905, the Commission to the Five Civilized Tribes entered of record orders dismissing the applications for the enrollment of Mumford M. Smith, Cecil Jackson Smith, Eddrie Beryl Jackson, Nancy Thwaites Hyden, and Claud Ray Wilcoxson, for the reason that their parents, through whom they claimed their right to enrollment, had been denied by the Choctaw and Chickasaw Citizenship Court. On February 9, 1905, the application for the enrollment of George Hyden was dismissed for the reason that he failed to appeal to said Choctaw and Chickasaw Citizenship Court.

Under the regulations adopted by the Commissioner to the Five Civilized Tribes January 2, 1906, there were filed by Cruce, Cruce & Bleakmore, attorneys at law, Ardmore, Indian Territory, on April 2, 1906, petitions praying for the enrollment of Henry Pruitt, Nannie Jackson Pruitt, John Pruitt, Earnest A. Pruitt, Eula Irene Pruitt, A. M. Jackson, Sarah L. Jackson, Albert M. Jackson, and William D. Jackson as citizens of the Choctaw Nation, and on April 21, 1906, petitions were filed praying for the enrollment of J. W. Hyden, Mollie Hyden, Cleave Hyden, Maude Hyden, Mollie Hyden, Jr., Thwaites Hyden, D. M. Hyden, Sarah V. Hyden Byars, Pearl M. Hyden Wilcoxen, Samuel M. Hyden, Garnette M. Hyden, Levi Byars, Ray Wilcoxen, Bud Wilcoxen, Nancy J. Hood, Ed Hood, Willie Gilliland, Cecil Smith, Maud Jackson Smith, Mumford M. Smith, Cedil Smith, Jr., Oscar R. Jackson, Edna Byrl Jackson and Bessie Jackson Shi as citizens of the Choctaw Nation.

All of the above petitioners are identical with the applicants for whom application was theretofore made for enrollment as citizens of the Choctaw Nation, with the exception of George Hyden, Levi Byars and Bud Wilcoxen. Levi Byars was born November 15, 1900, and Bud Wilcoxen was born February 23, 1903.

The record in this case shows that the applicants, D. M. Hyden, Nancy J. Hood, Sallie Jackson, and J. W. Hyden, are the children of Samuel Hyden, who was the son of John Hyden and one Elizabeth Brashears, who is alleged to have been a Choctaw by blood, who resided in the State of Mississippi; that Sallie V. Hyden, Pearl M. Wilcoxson, Samuel M. Hyden and Garnett M. Hyden are the children of said D. M. Hyden and Vicey Hyden (deceased), a non-citizen; that Claud Ray Wilcoxson is the son of Pearl M. Wilcoxson and William Wilcoxson, a non-citizen; that the applicant, Edward Hood, is the son of Nancy J. Hood and J. T. Hood (deceased), a non-citizen; that Willie Mapes is the daughter of Lenora Mapes (deceased), who was the daughter of said Nancy J. Hood and J. T. Hood; that Oscar Jackson, Willie Jackson, Albert Jackson, Bessie Jackson, Maud Smith and Nancy Pruitt are the children of the applicants, Sallie Jackson and A. M. Jackson; that John H. Pruitt, Ernest A. Pruitt and Eula I. Pruitt are the children of the applicants, Nancy Pruitt and Henry Pruitt; that Mumford M. Smith and Cecil Jackson Smith are the children of the applicants, Maud Smith and Cecil Smith; that Eddrie Beryl Jackson is the daughter of the applicant, Oscar Jackson, and Georgia Belle Jackson, a non-citizen; and that George Hyden, Cleveland Hyden, Maud Hyden, Mollie Hyden and Nancy Thwaites Hyden are the children of the applicants, J. W. Hyden and Mollie Hyden.

It further appears from the record herein that Henry Pruitt claims his right to enrollment as a citizen by intermarriage of the Choctaw Nation by reason of his marriage under the laws of

the State of Texas, to the applicant, Nancy Pruitt; that Cecil Smith claims his right to enrollment as a citizen by intermarriage of said nation by virtue of his marriage to the applicant, Maud Smith; that A. M. Jackson claims his right to enrollment as a citizen by intermarriage of said nation by reason of his marriage to the applicant, Sallie Jackson; and that Mollie Hyden claims her right to enrollment as a citizen by intermarriage of said nation by reason of her marriage to the applicant, J. W. Hyden.

Upon an examination of the tribal rolls of the Choctaw Nation in the possession of this office it appears that the applicants, Nancy Pruitt, John H. Pruitt, Ernest A. Pruitt, Eula I. Pruitt, Maud Smith, Sallie Jackson, Oscar Jackson, Willie Jackson, Albert Jackson, Bessie Jackson, J. W. Hyden, George Hyden, Cleveland Hyden, Maud Hyden, Mollie Hyden, D. M. Hyden, Sallie V. Hyden, Pearl M. Wilcoxson, Samuel M. Hyden, Garnett M. Hyden, Nancy J. Hood and Willie Mapes, are identified upon the 1896 Choctaw Census Roll, opposite numbers 10618, 10620, 10623, 10624, 7411, 7410, 1412, 7413, 7414, 7415, 6187, 6188, 6191, 6190, 6189, 6192, 6193, 6194, 6195, 6196, 6172 and 8936, respectively. The applicants, Henry Pruitt, Cecil Smith, A. M. Jackson and Mollie Hyden, are identified upon the 1896 Choctaw Census Roll, opposite numbers 14952, 15084, 14714 and 14675, respectively, enrolled thereon as citizens by intermarriage of the Choctaw Nation. The persons above mentioned were placed on the 1896 Choctaw Census Roll by the Choctaw Revisory Board in January, 1897.

It does not appear from the record herein or from the records in the possession of this office that the applicant, Edward Hood, has ever been enrolled by the Choctaw tribal authorities as a member of the Choctaw tribe, or admitted to Choctaw citizenship by any duly constituted authority.

The record in this case further shows that George Hyden and Sallie V.Hyden died prior to September 25, 1902.

Relative to the question whether or not the applicants herein are possessed of Choctaw blood, there has been submitted the testimony of J. W. Hyden, D. M. Hyden, Edward M. Everidge and Joseph R. Lawrence.

J. W. Hyden, on November/3, 1906, testified that he was fifty-four years of age, and the son of Samuel Hyden, a Choctaw by blood, and Nancy D. Hyden, a white woman; that Samuel Hyden was born in the State of Virginia, afterwards removing to the State of Missouri, and then to the State of Texas; that Samuel Hyden was the son of John Hyden, a white man, and Elizabeth Hyden (nee Brashears), a one-half blood Choctaw Indian; and that said Elizabeth Brashears was the daughter of Turner Brashears.

D. M. Hyden, on said date, also testified that he was fifty years of age, and that he did not know any of his family history other than that he understood that Elizabeth Brashears was his grandmother, and that Turner Brashears was her father.

On January 15, 1907, Edward M. Everidge testified that he was fifty-five years of age and the son of Joel W. Everidge, a Choctaw by blood, who died in 1901, at the age of seventy-three, and Sophia Everidge, also a Choctaw by blood, who was born in about the year 1830; that Joel W. Everidge was the son of Thomas Everidge, a white man, and Eve Brashears, a one-half blood Choctaw Indian, who died between the years 1870 and 1873; and that said Eve Brashears was the daughter of R. Turner Brashears, a white man. Said

witness further testified that Eve Brashears had two full brothers and two full sisters, whose names were Elizabeth, Lewis, Ben and Isabelle; that he had been acquainted with the principal applicants herein only a few years, and that only information he had relative to the question whether or not the applicants are possessed of Choctaw blood was a statement made to him by his father to the effect that they were related to him, witness' grandmother being a full sister of the grandmother of the principal applicants herein.

Joseph R. Lawrence, on January 30, 1907, testified that he was seventy-three years of age, and was born in the Indian Territory; that he was the son of David Lawrence and Mary L. Lawrence; that Mary L. Lawrence was the daughter of Joseph Fisher and Elizabeth Fisher, the latter being a daughter of Turner Brashears; that Elizabeth Fisher (nee Brashears) was born in Mississippi and died there prior to the witness' birth; that she had four children by her husband, Joseph Fisher, whose names were Silas D., Mary L., Rebecca and Narcissie; that he was personally acquainted with Joseph Fisher, the husband of Elizabeth Fisher, having resided with him in the Indian Territory for a period of eight years, said Joseph Fisher dying when the witness was fourteen years of age; and that at no time had he ever heard that Elizabeth Fisher (nee Brashears) had ever been married to any one other than Joseph Fisher, or that she had ever had any children other than those above mentioned. Said witness further testified that it was his understanding from family history that Turner Brashears had two daughters, one named Elizabeth, who was his grandmother, and one named Eve, who married an Everidge.

I am of the opinion that the evidence establishes that the applicants herein are not descendants of the Elizabeth Brashears who was the daughter of Turner Brashears, and that they are not possessed of Choctaw blood.

I am further of the opinion that the applicants herein who were enrolled upon the 1896 Choctaw Census Roll as citizens by blood of the Choctaw Nation were placed thereon without authority of law; and that their names should be stricken therefrom, under the provisions of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

I am further of the opinion that the applications for the enrollment of Nancy Pruitt, John H. Pruitt, Ernest A. Pruitt, Eula I. Pruitt, Maud Smith, Sallie Jackson, Oscar Jackson, Willie Jackson, Albert Jackson, Bessie Jackson, J. W. Hyden, Cleveland Hyden, Maud Hyden, Mollie Hyden, D. M. Hyden, Pearl M. Wilcoxson, Samuel M. Hyden, Garnett M. Hyden, Nancy J. Hood, Edward Hood and Willie Mapes as citizens by blood of the Choctaw Nation, and the petitions herein in so far as they apply to said applicants, should be denied, under the provisions of the Acts of Congress approved June 28, 1898 (30 Stats., 495), and July 1, 1902 (32 Stats., 641), and it is so ordered.

I am further of the opinion that the orders of the Commission to the Five Civilised Tribes of January 24, 1905, and February 9, 1905, dismissing the applications for the enrollment of Mumford M. Smith, Cecil Jackson Smith, Eddrie Beryl Jackson, George Hyden, Nancy Thwaites Hyden and Claud Ray Wilcoxson as citizens by blood of the Choctaw Nation should be rescinded, and that the applications for the enrollment of all of said applicants, with the exception of George Hyden, and the petitions herein in so far as they apply to said applicants, should be denied, under the provisions of the Acts of Congress approved June 28, 1898 (30 Stats, 495), and July 1, 1902 (32 Stats., 641), and it is so ordered.

I am further of the opinion that the applications for the enrollment of Henry Pruitt, Mellie Hyden, Cecil Smith and A. M. Jackson as citizens by intermarriage of the Choctaw Nation, and the petitions herein in so far as they apply to said applicants, should be denied, under the provisions of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

I am further of the opinion that the petition for the enrollment of Levi Myers and Bud Wilcoxson as citizens of the Choctaw Nation should be considered as an application for their enrollment as citizens by blood of said nation under the provisions of the Act of Congress approved April 26, 1906 (34 Stats., 137), and that said application should be denied under the provisions of said act, and it is so ordered.

I am further of the opinion that inasmuch as George Hyden and Sallie V. Hyden died prior to September 25, 1902, their applications for enrollment as citizens by blood of the Choctaw Nation, and the petitions herein in so far as they apply to said applicants, should be dismissed, and it is so ordered.

I am further of the opinion that inasmuch as the application for the enrollment of Marthy Wilcoxson as a citizen by blood of the Choctaw Nation was not made within the time limited by Section Two of the Act of Congress approved April 26, 1906 (34 Stats., 137), I am without authority to receive or consider any application for enrollment as such; that I should decline to receive the same, and it is so ordered.

SIGNED Tams Bixby

Commissioner.

Muskogee, Indian Territory,

FEB 25 1907

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Land.
20 611,1900
(I)

Enrollment case of
J. W. Ryden et al.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON, May 29 1900

The Commissioner
to the Five Civilized Tribes,
Muskogee, Oklahoma.

Sir:

There is transmitted herewith a letter dated May 18, 1900, from Sarah L. Jackson, who claims a right to enrollment as a citizen of the Choctaw Nation. She requests information as to whether her case is analogous to that of John E. Goldsby (211 U. S. 249). You are requested to furnish a report concerning her case, following the general instructions contained in Department letter of March 16, 1900 (File 5-21).

Very respectfully,

F. Peck-

Chief Clerk.

MCMc6-27
1561

D 803-1909

Muskogee, Oklahoma, June 10,1909.

Subject:

Enrollment cases of
J. W. Hydem et al.

The Honorable,

The Commissioner of Indian Affairs,

Sir:

Receipt is hereby acknowledged of Indian Office letter of May 29, 1909 (Land 38491-1909. J B) inclosing, for report, letter of May 18, 1909, from Sarah L. Jackson, who claims a right to enrollment as a citizen of the Choctaw Nation, and desires information as to whether her case is analogous to that of John K. Goldsby (211 U. S. 249).

Report is requested, following the general instructions contained in Departmental letter of March 15, 1909 (File 5-61).

Reporting in this matter I have the honor to advise that it appears from the records of this office that on September 9, 1896, original application was made to the Commission to the Five Civilized Tribes, in the cases entitled J. W. Hydem et al. versus the Choctaw Nation, 1896 Choctaw Citizenship Case Number 1344, for admission as citizens of the Choctaw Nation of the applicants, Henry Pruitt, Nancy Pruitt, John H. Pruitt, Hubert A. Pruitt,

I. C. S

Eula I. Pruitt, Opal Smith, Maud Smith, A N Jackson, Hallie Jackson, Oscar Jackson, Willie Jackson, Albert Jackson, Jessie Jackson, J. W. Hyden , Hallie Hyden, George Hyden, Cleveland Hyden, Maud Hyden, Hallie Hyden, D. M. Hyden, Billie V. Hyden, Pearl M. Hyden (now Wilcoxon), Samuel M. Hyden, Garnett M. Hyden, Nancy J. Wood, Edward Wood and Willie Mayes; and that on December 8, 1896, said Commission rendered its decision denying this application.

From this decision an appeal was taken to the United States Court for the Southern District of Indian Territory, which court, on December 21, 1898, in the case entitled J. W. Hyden et al. versus the Choctaw Nation, reversed the decision of said Commission and admitted the applicants as citizens of the Choctaw Nation.

Pursuant to this judgment of the United States Court the persons named above made application to the Commission to the Five Civilized Tribes for the enrollment of themselves and their minor children, born since the date of the original application, as citizens of the Choctaw Nation under the provisions of the Act of Congress approved June 28, 1898 (30 Stat.,,495).

December 21, 1902, the Choctaw and Chickasaw Citizenship Court, created under the provisions of the Act of Congress approved July 1, 1902 (32 Stat.,,641), "set aside, annulled, vacated and held for naught" the judgment of the United States Court for the Southern District aforesaid, in the last case, entitled the

Choctaw and Chickasaw Nations et Tribes versus J. T. Riddle et al.

Subsequently this cause was certified to the Choctaw and Chickasaw Citizenship Court for a trial de novo and on November 28, 1904, in the cause entitled J. W. Ryden et al. versus the Choctaw and Chickasaw Nations, Case Number 48 on the Timekeeping Docket, said Court ordered, adjudged and decreed that the petition of the plaintiffs be denied and that they be declared not citizens of the Choctaw Nation, and not entitled to enrollment as such citizens, and not entitled to any rights whatsoever flowing therefrom.

January 24, 1906, the Commission to the Five Civilized Tribes entered of record orders dismissing the applications for enrollment of Rumford M. Smith, Cecil Jackson Smith, Edgrie Beryl Jackson, Nancy Thwaites Ryden and Ulmad Roy Wilcoxson, for the reasons that their parents, through whom they claimed the right to enrollment, had been denied by the Choctaw and Chickasaw Citizenship Court.

February 9, 1906, the application for the enrollment of George Ryden was dismissed by the Commission for the reason that he failed to take an appeal to the Choctaw and Chickasaw Citizenship Court.

Under the regulations adopted by the Commissioner to the Five Civilized Tribes January 2, 1906, there were filed by Cruce, Cruce & Blackmare, attorneys at law, Ardmore, Indian Territory, on April 2, 1906, petitions praying for the enrollment of Henry

Pruitt, Rhonda Jackson Pruitt, John Pruitt, Earnest A. Pruitt, Eula Irene Pruitt, A. M. Jackson, Sarah L. Jackson, Albert M. Jackson, and William B. Jackson, and on April 24, 1906, petitions were filed praying for the enrollment of J. W. Hyden, Sallie Hyden, Gleavn Hyden, Vande Hyden, Sallie Hyden Jr., Thwaites Hyden, D. M. Hyden, Sarah V. Hyden Myers, Pearl M. Hyden Wilcoxen, Samuel M. Hyden, Garnette M. Hyden, Levi Myers, Ray Wilcoxen, Bud Wilcoxen, Nancy J. Reed, Ed Reed, Willie Williland, Cecil Smith, Maud Jackson Smith, Rumford M. Smith, Cecil Smith Jr., Oscar L. Jackson, Edna Myrl Jackson and Bessie Jackson Ehi as citizens of the Choctaw Nation.

The names of Nancy Pruitt, John M. Pruitt, Ernest A. Pruitt, Eula I. Pruitt, Maud Smith, Sallie Jackson, Oscar Jackson, Willie Jackson, Albert Jackson, Bessie Jackson, J. W. Hyden, George Hyden, Cleveland Hyden, Maud Hyden, Sallie Hyden, D. M. Hyden, Sallie V. Hyden, Pearl M. Wilcoxson, Samuel M. Hyden, Garnett M. Hyden, Nancy J. Reed and Willie Naper are identified upon the 1896 Census Roll of the Choctaw Nation as citizens by blood, and Henry Pruitt, Cecil Smith, A. M. Jackson and Sallie Hyden are identified upon the same roll as Choctaws by marriage, their names having been placed thereon by the Choctaw Reviewing Board in January 1897.

February 25, 1907, the Commissioner to the Five Civilized Tribes rendered a decision denying the applications for the enrollment of all the persons included in this case and on the same

date the record in the case was transmitted to the Secretary of the Interior.

March 2, 1907 (Land 30936-1907) the Indian Office recommended the approval of the Commissioner's decision of February 25, 1907 and on March 4, 1907 (I T D 4398,5188, 6184,6298, 6958, 7112, 7450, 7452, 7456, 7464, 7484, 7496, 7664, 7688, 7692, 7706, 7710, 7722, 7726, 7732, 7740, 7750, 7756, 7818, 7870, 7832 - 1907) the Secretary of the Interior affirmed the decision refusing the applicants in the case of Henry Pruitt.

It appears that the person referred to in the application made to the Commission to the Five Civilized Tribes on September 9, 1896,as Sallie Jackson,and in the petition filed under the regulations adopted by the Commissioner to the Five Civilized Tribes January 2, 1906, as Sarah L. Jackson, is identical with the writer of the communication inclosed with Indian Office letter of May 29, 1909.

The records of this office do not show that any favorable decision was ever rendered in this case by the Department.

Inasmuch as these persons were not upon an approved roll of citizens of the Choctaw Nation no formal allotments were made to them.

In view of the holding of the Department on June 1, 1909, in the Chickasaw case of Joseph C. Moore et al. it is believed that this case is not analogous to that of John R. Goldsby (211 U.S.249)

2 0 4

The communication of Hugh L. Dodgen of May 16, 1900, is herewith returned.

Respectfully,

Commissioner.

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Land-
40261-1908
J R D

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON. S.R.
JUL 19 1909

Choctaw enrollment claim
of Sarah L. Jackson.

The Commissioner
to the Five Civilized Tribes,
Muskogee, Oklahoma.

Sir:-

Referring to your report of June 18, 1909, relative to the claim of Sarah L. Jackson to enrollment as a citizen of the Choctaw Nation, you are advised that on June 30, 1909, the Department held that the case of the person mentioned was not analogous to that of John K. Gelshy, and did not come within the principles announced by the Supreme Court of the United States in its decision of November 30, 1908 in that case (211 U. S. 249), and therefore declined to take any action looking to the enrollment of Sarah L. Jackson as a citizen of the Choctaw Nation.

Copies of Office letter of June 29, 1909, and of Department letter of June 30, 1909, are enclosed for your further information. You are requested to notify the parties in interest.

Very respectfully,

(Signed) John Francis Jr
Acting Chief Clerk.

KCS-1
3093

(Copy) 1

2-19382

Land
46051-1909
J E D

Enrollment case
of Henry Pruitt, et al. JUN 22 1909

The Honorable

The Secretary of the Interior.

Sir:

There is transmitted herewith a report from the Commissioner to the Five Civilized Tribes, dated June 18, 1909, relative to the claim of Sarah L. Jackson to enrollment as a citizen of the Choctaw Nation. The person named was one of the applicants in the case of Henry Pruitt, et al.

It does not appear that the Department ever rendered any decision in favor of the applicants therein. The Office is of the opinion that the case is not analogous to that of John R. Goldsby, and does not come within the principles announced by the Supreme Court of the United States in that case (211 U. S., 249).

The Office therefore recommends that no action be taken by the Department looking to the enrollment of Sarah L. Jackson, or any of the other applicants in the case of Henry Pruitt, et al.

The records in the case is inclosed for your further information.

Very respectfully,

SEW-22
2540

Approved (Signed) R. G. Valentine
Commissioner.
Assistant Secretary.

(COPY)

LLS

J. V. M.

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

E-7955

JUN 30 1909

Commissioner of Indian Affairs.

Sir:

Receipt is acknowledged of your letter of June 29, 1909, recommending that no action be taken looking to the enrollment of Sarah L. Jackson or any of the other applicants in the case of Henry Pruitt et al. as citizens of the Chester Nation.

I concur in your recommendation in so far as it relates to Sarah L. Jackson and the members of her immediate family, but deem it inadvisable to express any opinion as to the right to enrollment of any other persons, inasmuch as the claim asserted by Mrs. Jackson in her letter of May 18, 1909, upon which present action is based, does not include all of the parties to the Pruitt case.

Very respectfully,

(Signed) Frank Pierce

First Assistant Secretary.

2


EMPTY

Choc 5183 A.M. Jackson

5183

#7 Dismissed Jan 24, 1905

See C-112

Duplicate record bound

June 18, 09 report to Indian office

may 29-1909 Indian office requests report

6-18-09 report to Indian office

June 30, 1909 Dept held case was not analogous to Goldsby case and declined to take action looking to enrollment of applicants

July 26, 1909 Parties notified

C- 112
119
113
121
120
7-5167
5165
5163
5164
5179
5181.

O.L.J.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Henry Pruitt, et al., as citizens of the Choctaw Nation.

D E C I S I O N.

It appears from the record herein that on September 24, 1898, Henry Pruitt (thirty-one years of age) appeared before the Commission to the Five Civilized Tribes and made application for the enrollment of himself as a citizen by intermarriage of the Choctaw Nation, and for the enrollment of his wife, Nancy Pruitt, (twenty-six years of age), and his three minor children, John M. (ten years of age), Ernest A. (eight years of age), and Nula I. Pruitt (seven years of age), as citizens by blood of said nation; that on September 24, 1898, Cecil Smith, (twenty-four years of age), made application for the enrollment of himself as a citizen by intermarriage of the Choctaw Nation, and for the enrollment of his wife, Maud Smith, (twenty-one years of age), and his minor child, Mumford M. Smith (eight months of age), as citizens by blood of said nation; that on September 24, 1898, A. M. Jackson (fifty years of age) made application for the enrollment of himself as a citizen by intermarriage of the Choctaw Nation, and for the enrollment of his wife, Sallie Jackson (forty-eight years of age), and his four minor children, Oscar (eighteen years of age), Willie (fifteen years of age), Albert (thirteen years of age), and Bessie Jackson (ten years of age), as citizens by blood of said nation; that on September 24, 1898, application was made by J. W. Hyden (forty-six years of age) for the enrollment of himself and his four minor children, George (sixteen years of age), Cleveland (fourteen years of age), Maud (nine years of age), and Nellie Hyden (five years of age), as citizens by blood of the Choctaw Nation, and for the enrollment of his wife, Nellie Hyden (thirty-six years of age), as a citizen by intermarriage of said nation; that on September 24, 1898, application was made by D. M. Hyden (forty-two years of age) for the enrollment of himself and his four minor children, Sallie V. Hyden (fifteen years of age), Pearl M. Willemsen (thirteen years of age), Samuel M. Hyden (twelve years of age), and Garnett M. Hyden (seven years of age), as citizens by blood of the Choctaw Nation; and that on September 24, 1898, application was made by Nancy J. Reed (fifty-five years of age) for the enrollment of herself, her minor son, Edward Reed (twenty years of age), and her minor grandchild, Willie Mapes (eleven years of age), as citizens by blood of the Choctaw Nation.

On November 13, 1906, written application was filed for the enrollment of Martha Willemsen as a citizen by blood of the Choctaw Nation under the provisions of the Act of Congress approved April 26, 1906 (34 Stats., 137).

It further appears from the record herein that on November 14, 1900, application was made to the Commission to the Five Civilized Tribes for the enrollment of Cecil Jackson Smith (born September 17, 1900) as a citizen by blood of the Choctaw Nation; that on May 23, 1901, application was made for the enrollment of Edrie Beryl Jackson (born March 5, 1901) as a citizen by blood of said nation; that on November 19, 1901, application was made for the enrollment of Nancy Thwaites Hyden (born September 16, 1900) as a citizen by blood of said nation; and that on August 17, 1901, application was made for the enrollment of Claud Ray Wilcoxson (born August 7, 1901) as a citizen by blood of the Choctaw Nation.

It further appears from the records in the possession of the Commissioner to the Five Civilized Tribes that on September 9, 1896, in the case entitled "J. W. Hyden, et al., vs. Choctaw Nation" (1896 Choctaw Citizenship Docket, Case No. 1344), original application was made to the Commission to the Five Civilized Tribes, under the provisions of the Act of Congress approved June 10, 1896 (29 Stats., 321), for admission to citizenship in the Choctaw Nation of the applicants, Henry Pruitt, Nancy Pruitt, John H. Pruitt, Ernest A. Pruitt, Eula I. Pruitt, Cecil Smith, Maud Smith, A. N. Jackson, Sallie Jackson, Oscar Jackson, Willie Jackson, Albert Jackson, Bessie Jackson, J. W. Hyden, Mollie Hyden, George Hyden, Cleveland Hyden, Maud Hyden, Mollie Hyden, D. N. Hyden, Sallie V. Hyden, Pearl N. Hyden (now Wilcoxson), Samuel N. Hyden, Garnett N. Hyden, Nancy J. Hood, Edward Hood and Willie Mapes; and that on December 8, 1896, said Commission rendered its decision therein denying said application.

From this decision an appeal was taken to the United States Court for the Southern District of Indian Territory, which court, on December 21, 1898, in the case entitled "J. W. Hyden, et al., vs. Choctaw Nation", reversed the decision of said Commission, and admitted said applicants as citizens of the Choctaw Nation.

On December 17, 1902, the Choctaw and Chickasaw Citizenship Court, created under the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641), "set aside, annulled, vacated and held for naught" the aforesaid judgment of the United States Court for the Southern District of the Indian Territory.

Thereafter said cause was certified to said Choctaw and Chickasaw Citizenship Court for a trial de novo, and on November 28, 1904, said court, in the case entitled "J. W. Hyden, et al., vs. Choctaw and Chickasaw Nations" (Choctaw-Chickasaw Citizenship Court Case No. 48, Tishomingo Docket), "ordered, adjudged and decreed that the petition of the plaintiffs, J. W. Hyden, Mrs. Mollie Hyden, Cleveland Hyden, Maud Hyden, Mollie Hyden, Sallie Jackson, A. N. Jackson, Nancy Pruitt, or Nancy P. Pruitt, Henry Pruitt, John Henry Pruitt, Evans A Pruitt, Eula Irine Pruitt, or Eula Irene Pruitt, Maud Smith, Cecil Smith, Oscar Jackson, Willie Jackson, Albert Jackson, Bessie Jackson, D. N. Hyden, Pearl Hyden, Sam Hyden, Garnett Hyden, N. J. Hood, Edward Hood, or Elwood Hood, Willie Mapes, or Willie Mopes. . . . . .be denied, and that they be declared not citizens of the Choctaw Nation, and not entitled to enrollment as such citizens, and not entitled to any rights whatever flowing therefrom".

On January 24, 1905, the Commission to the Five Civilized Tribes entered of record orders dismissing the applications for the enrollment of Mumford M. Smith, Cecil Jackson Smith, Midrie Beryl Jackson, Nancy Thwaites Hyden, and Claud Ray Wilcoxson, for the reason that their parents, through whom they claimed their right to enrollment, had been denied by the Choctaw and Chickasaw Citizenship Court. On February 9, 1905, the application for the enrollment of George Hyden was dismissed for the reason that he failed to appeal to said Choctaw and Chickasaw Citizenship Court.

Under the regulations adopted by the Commissioner to the Five Civilized Tribes January 2, 1906, there were filed by Cruce, Cruce and Bleakmore, attorneys at law, Ardmore, Indian Territory, on April 2, 1906, petitions praying for the enrollment of Henry Pruitt, Nannie Jackson Pruitt, John Pruitt, Earnest A. Pruitt, Eula Irene Pruitt, A. M. Jackson, Sarah L. Jackson, Albert M. Jackson, and William D. Jackson as citizens of the Choctaw Nation, and on April 21, 1906, petitions were filed praying for the enrollment of J. W. Hyden, Mellie Hyden, Cleave Hyden, Mawie Hyden, Mellie Hyden, Jr., Thwaites Hyden, D. M. Hyden, Sarah V. Hyden Byars, Pearl M. Hyden Wilcoxson, Samuel M. Hyden, Garnette M. Hyden, Levi Byars, Ray Wilcoxson, Bud Wilcoxson, Nancy J. Hood, Ed Hood, Willie Gilliland, Cecil Smith, Maud Jackson Smith, Mumford M. Smith, Cecil Smith, Jr., Oscar E. Jackson, Edna Byrl Jackson and Bessie Jackson Shi as citizens of the Choctaw Nation.

All of the above petitioners are identical with the applicants for whom application was theretofore made for enrollment as citizens of the Choctaw Nation, with the exception of George Hyden, Levi Byars and Bud Wilcoxon. Levi Byars was born November 15, 1900, and Bud Wilcoxon was born February 23, 1903.

The record in this case shows that the applicants, D. M. Hyden, Nancy J. Hood, Sallie Mackson, and J. W. Hyden, are the children of Samuel Hyden, who was the son of John Hyden and one Elizabeth Brashears, who is alleged to have been a Choctaw by blood, who resided in the State of Mississippi; that Sallie E. Hyden, Pearl M. Wilcoxson, Samuel M. Hyden and Garnett M. Hyden are the children of said D. M. Hyden and Vicey Hyden (deceased), a non-citizen; that Claud Ray Wilcoxson is the son of Pearl M. Wilcoxson and William Wilcoxson, a non-citizen; that the applicant, Edward Hood, is the son of Nancy J. Hood and J. T. Hood (deceased), a non-citizen; that Willie Mapes is the daughter of Lenora Mapes (deceased) who was the daughter of said Nancy J. Hood and J. T. Hood; that Oscar Jackson, Willie Jackson, Albert Jackson, Bessie Jackson, Maud Smith and Nancy Pruitt are the children of the applicants, Sallie Jackson and A. M. Jackson; that John H. Pruitt, Ernest A. Pruitt and Henry Pruitt; that Mumford M. Smith and Cecil Jackson Smith are the children of the applicants, Maud Smith and Cecil Smith; that Midrie Beryl Jackson is the daughter of the applicant, Oscar Jackson, and Georgia Bell Jackson, a non-citizen; and that George Hyden, Cleveland Hyden, Maud Hyden, Mellie Hyden and Nancy Thwaites Hyden are the children of the applicants, J. W. Hyden and Mellie Hyden.

It further appears from the record herein that Henry Pruitt claims his right to enrollment as a citizen by intermarriage of the Choctaw Nation by reason of his marriage under the laws of

the State of Texas, to the applicant, Nancy Pruitt; that Cecil Smith claims his right to enrollment as a citizen by intermarriage of said nation by virtue of his marriage to the applicant, Maud Smith; that A. M. Jackson claims his right to enrollment as a citizen by intermarriage of said nation by reason of his marriage to the applicant, Sallie Jackson; and that Nellie Hyden claims her right to enrollment as a citizen by intermarriage of said nation by reason of her marriage to the applicant, J. W. Hyden.

Upon an examination of the tribal rolls of the Choctaw Nation in the possession of this office it appears that the applicants, Nancy Pruitt, John H. Pruitt, Ernest A. Pruitt, Nula I. Pruitt, Maud Smith, Sallie Jackson, Oscar Jackson, Willie Jackson, Albert Jackson, Bessie Jackson, J. W. Hyden, George Hyden, Cleveland Hyden, Maud Hyden, Nellie Hyden, D. M. Hyden, Sallie V. Hyden, Pearl M. Wilcoxson, Samuel M. Hyden, Garnett M. Hyden, Nancy J. Hood and Willie Hayes, are identified upon the 1896 Choctaw Census Roll, opposite numbers 10618, 10620, 10623, 10624, 7411, 7410, 1412, 7413, 7414, 7415, 6187, 6188, 6191, 6190, 6189, 6192, 6193, 6 194, 6195, 6196, 6171 and 6936, respectively. The applicants, Henry Pruitt, Cecil Smith, A. M. Jackson and Nellie Hyden, are identified upon the 1896 Choctaw Census Roll, opposite numbers 14952, 15084, 14714, and 14675, respectively, enrolled thereon as citizens by intermarriage of the Choctaw Nation. The persons above mentioned were placed on the 1896 Choctaw Census Roll by the Choctaw Revisory Board in January, 1897.

It does not appear from the record herein or from the records in the possession of this office that the applicant, Edward Hood, has ever been enrolled by the Choctaw tribal authorities as a member of the Choctaw tribe, or admitted to Choctaw citizenship by any duly constituted authority.

The record in this case further shows that George Hyden and Sallie V. Hyden died prior to September 25, 1902.

Relative to the question whether or not the applicants herein are possessed of Choctaw blood, there has been submitted the testimony of J. W. Hyden, D. M. Hyden, Edward M. Everidge and Joseph R. Lawrence.

J. W. Hyden, on November 13, 1906, testified that he was fifty-four years of age, and the son of Samuel Hyden, a Choctaw by blood, and Nancy D. Hyden, a white woman; that Samuel Hyden was born in the State of Virginia, afterwards removing to the State of Missouri, and then to the State of Texas; that Samuel Hyden was the son of John Hyden, a white man, and Elizabeth Hyden (nee Brashears), a one-half blood Choctaw Indian; and that said Elizabeth Brashears was the daughter of Turner Brashears.

D. M. Hyden, on said date, also testified that he was fifty years of age, and that he did not know any of his family history other than that he understood that Elizabeth Brashears was his grandmother, and that Turner Brashears was her father.

On January 15, 1907, Edward M. Everidge testified that he was fifty-five years of age and the son of Joel W. Everidge, a Choctaw by blood, who died in 1881, at the age of seventy-three, and Sophia Everidge, also a Choctaw by blood, who was born in about the year 1830; that Joel W. Everidge was the son of Thomas Everidge, a white man, and Eve Brashears, a one-half blood Choctaw Indian, who died between the years 1870 and 1873; and that said Eve Brashears was the daughter of R. Turner Brashears, a white man. Said

witness further testified that Eve Brashears had two full brothers and two full sisters, whose names were Elizabeth, Lewis, Ben and Isabelle; that he had been acquainted with the principal applicants herein only a few years, and that only information he had relative to the question whether or not the applicants are possessed of Choctaw blood was a statement made to him by his father to the effect that they were related to him, witness' grandmother being a full sister of the grandmother of the principal applicants herein.

Joseph R. Lawrence, on January 30, 1907, testified that he was seventy-three years of age, and was born in the Indian Territory; that he was the son of David Lawrence and Mary L. Lawrence; that Mary L. Lawrence was the daughter of Joseph Fisher and Elizabeth Fisher, the latter being a daughter of Turner Brashears; that Elizabeth Fisher (nee Brashears) was born in Mississippi and died there prior to the witness' birth; that she had four children by her husband, Joseph Fisher, whose names were Silas D., Mary L., Rebecca and Narcissie; that he was personally acquainted with Joseph Fisher, the husband of Elizabeth Fisher, having resided with him in the Indian Territory for a period of eight years, said Joseph Fisher dying when the witness was fourteen years of age; and that at no time had he ever heard that Elizabeth Fisher (nee Brashears) had ever been married to any one other than Joseph Fisher, or that she had ever had any children other than those above mentioned. Said witness further testified that it was his understanding from family history that Turner Brashears had two daughters, one named Elizabeth, who was his grandmother, and one named Eve, who married an Everidge.

I am of the opinion that the evidence establishes that the applicants herein are not descendants of the Elizabeth Brashears who was the daughter of Turner Brashears, and that they are not possessed of Choctaw blood.

I am further of the opinion that the applicants herein who were enrolled upon the 1896 Choctaw Census Roll as citizens by blood of the Choctaw Nation were placed thereon without authority of law; and that their names should be stricken therefrom, under the provisions of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

I am further of the opinion that the applications for the enrollment of Nancy Pruitt, John H. Pruitt, Ernest A. Pruitt, Eula I. Pruitt, Maud Smith, Sallie Jackson, Oscar Jackson, Willie Jackson, Albert Jackson, Bessie Jackson, J. W. Hyden, Cleveland Hyden, Maud Hyden, Millie Hyden, D. M. Hyden, Pearl M. Wilcoxson, Samuel M. Hyden, Garnett M. Hyden, Nancy J. Hood, Edward Hood and Willie Hayes as citizens by blood of the Choctaw Nation, and the petitions herein in so far as they apply to said applicants, should be denied, under the provisions of the Acts of Congress approved June 28, 1898 (30 Stats., 495), and July 1, 1902 (32 Stats., 641), and it is so ordered.

I am further of the opinion that the orders of the Commission to the Five Civilized Tribes of January 24, 1905, and February 9, 1905, dismissing the applications for the enrollment of Mumford M. Smith, Cecil Jackson Smith, Eddie Beryl Jackson, George Hyden, Nancy Thwaites Hyden and Claud Ray Wilcoxson, as citizens by blood of the Choctaw Nation should be rescinded, and that the applications for the enrollment of all of said applicants, with the exception of George Hyden, and the petitions herein in so far as they apply to said applicants, should be denied, under the provisions of the Acts of Congress approved June 28, 1898 (30 Stats., 495), and July 1, 1902 32 Stats., 641), and it is so ordered.

I am further of the opinion that the applications for the enrollment of Henry Pruitt, Nellie Nyden, Cecil Smith and A. M. Jackson as citizens by intermarriage of the Choctaw nation, and the petitions herein in so far as they apply to said applicants, should be denied, under the provisions of the Act of Congress approved June 28, 1906 (34 Stats., 539), and it is so ordered.

I am further of the opinion that the petition for the enrollment of Levi Byars and Ben Wilcoxson as citizens of the Choctaw nation should be considered as an application for their enrollment as citizens by blood of said nation under the provisions of the Act of Congress approved April 26, 1906 (34 Stats., 137), and that said applications should be denied under the provisions of said act, and it is so ordered.

I am further of the opinion that inasmuch as George Nyden and Callie V. Nyden died prior to September 25, 1902, their applications for enrollment as citizens by blood of the Choctaw nation, and the petitions herein in so far as they apply to said applicants, should be dismissed, and it is so ordered.

I am further of the opinion that inasmuch as the application for the enrollment of Martha Wilcoxson as a citizen by blood of the Choctaw nation was not made within the time limited by Section Two of the Act of Congress approved April 26, 1906 (34 Stats., 137), I am without authority to receive or consider any application for enrollment as such; that I should decline to receive the same, and it is so ordered.

(signed) TAMS BIXBY,

Commissioner.

Muskogee, Indian Territory,

Feb. 25, 1907.

[redacted]

[redacted]

[redacted]

Stratford Okla Apr 24 1908

Hon Sec of Interior

Washington

Dear Sir:

I am Sarah L. Jackson, nee Ryden, sister [redacted] to Whit W. Ryden, who is on the approved roll of Cherokee Nation I together with husband & six children were placed on census roll in 1896, by order board of Cherokee Nation, page 317, afterwards denied by Dawes Comm. appealed to U. S. Court of Claims. We then appealed to citizenship court, was there denied, was then granted a new hearing before Dawes Com. at Muskogee July 31 1906 after March 4 1907 I rec'd. a notice of denial from appeal maintained by Sec of Interior. Denial shows March 4 1907. I wish to know if decision in Colby case affects my case. My case is that of J. W. Ryden et al. I have selected some land for myself and Daughter, Bessie Shi nee Jackson which shows vacant Can I hold land without paying Government lease will you kindly reply as early as convenient.

Respectfully,

Sarah L. Jackson

Stratford Okla.

D 000-1909

Muskogee, Oklahoma, June 10, 1909.

Subject:

Enrollment Case of
J. W. Hyden et al.

The Honorable,

The Commissioner of Indian Affairs,

Sir:

Receipt is hereby acknowledged of Indian Office letter of May 20, 1909 (Land 30457-1909, J R M) inclosing, for report, letter of May 18, 1909, from Sarah L. Jackson, who claims a right to enrollment as a citizen of the Cherokee Nation, and desires information as to whether her case is analogous to that of John H. Goldsby (211 U. S. 249).

Report is requested, following the general instructions contained in Commissioner's letter of March 15, 1909 (File 5-62).

Reporting in this matter I have the honor to advise that it appears from the records of this office that on September 9, 1896, original application was made to the Commission to the Five Civilized Tribes, in the cases entitled J. W. Hyden et al. versus the Cherokee Nation, 1896 Cherokee Enrollment Case Number 1814, for admission as citizens of the Cherokee Nation of the applicants, Henry Pruitt, Nancy Pruitt, John H. Pruitt, Irvine A. Pruitt,

I. T. 2

Eula I. Pruitt, Cecil Smith, Maud Smith, A. M. Tomblin, Willie Jackson, Oscar Jackson, Willie Jackson, Albert Jackson, Ronald Jackson, J. V. Hyden, Willie Hyden, Dwight Hyden, Roland Hyden, Maud Hyden, Mollie Hyden, D. M. Hyden, Nellie V. Hyden, Pearl M. Hyden (now Wilcoxon), Samuel M. Hyden, Garnett M. Hyden, Henry J. Reed, Edward Reed and Willie Hagee; and that on December 8, 1906, said Commission rendered its decision denying this application.

From this decision an appeal was taken to the United States Court for the Southern District of Indian Territory, which court, on December 21, 1906, in the case entitled J. V. Hyden et al, versus the Choctaw Nation, reversed the decision of said Commission and admitted the applicants as citizens of the Choctaw Nation.

Pursuant to this judgment of the United States Court the persons named above made application to the Commission to the Five Civilized Tribes for the enrollment of themselves and their minor children, born since the date of the original application, as citizens of the Choctaw Nation under the provisions of the Act of Congress approved June 28, 1898 (30 Stat., 495).

December 17, 1908, the Choctaw and Chickasaw Citizenship Court, created under the provisions of the Act of Congress approved July 1, 1902 (32 Stat., 641), "set aside, annulled, vacated and held for naught" the judgment of the United States Court for the Southern District aforesaid, in the test case, entitled the

Choctaw and Chickasaw Nations or Tribes versus J. T. Riddle et al.

Subsequently this cause was certified to the Choctaw and Chickasaw Citizenship Court for a trial de novo and on November 26, 1904, in the case entitled J. V. Hyden et al. versus the Choctaw and Chickasaw Nations, Case Number 48 on the Tishomingo Docket, said Court ordered, adjudged and decreed that the petition of the plaintiffs be denied and that they be declared not citizens of the Choctaw Nation, and not entitled to enrollment as such citizens, and not entitled to any rights whatever flowing therefrom.

January 24, 1906, the Commission to the Five Civilized Tribes entered of record orders dismissing the applications for enrollment of Rumford M. Smith, Cecil Jackson Smith, Edrie Beryl Jackson, Nancy Thwaites Hyden, and Claud Ray Wilcoxson, for the reason that their parents, through whom they claimed the right to enrollment, had been denied by the Choctaw and Chickasaw Citizenship Court.

February 9, 1906, the application for the enrollment of George Hyden was dismissed by the Commission for the reason that he failed to take an appeal to the Choctaw and Chickasaw Citizenship Court.

Under the regulations adopted by the Commissioner to the Five Civilized Tribes January 2, 1906, there were filed by Cruce, Cruce & Blackmore, attorneys at law, Ardmore, Indian Territory, on April 2, 1906, petitions praying for the enrollment of Nancy

Pruitt, Nannie Jackson Pruitt, John Pruitt, Ernest A. Pruitt, Eula Irene Pruitt, A. M. Jackson, Sarah L. Jackson, Albert M. Jackson, and William B. Jackson, and on April 21, 1906, petitions were filed praying for the enrollment of J. V. Ryden, Sallie Ryden, Cleave Ryden, Maude Ryden, Willie Ryden Jr., Christine Ryden, D. M. Ryden, Sarah V. Ryden Myers, Pearl M. Ryden Wilcoxen, Samuel M. Ryden, Garnette M. Ryden, Levi Myers, Ray Wilcoxen, Ed Wilcoxen, Nancy J. Reed, Ed Reed, Willie Gilliland, Cecil Smith, Maud Jackson Smith, Mumford M. Smith, Cpell Smith Jr., Oscar M. Jackson, Nina Myrl Jackson and Bessie Jackson did as citizens of the Choctaw Nation.

The names of Nancy Pruitt, John M. Pruitt, Ernest A. Pruitt, Eula I. Pruitt, Maud Smith, Sallie Jackson, Oscar Jackson, Willie Jackson, Albert Jackson, Bessie Jackson, J. V. Ryden, George Ryden, Cleveland Ryden, Maud Ryden, Willie Ryden, D. M. Ryden, Sallie V. Ryden, Pearl M. Wilcoxson, Samuel M. Ryden, Garnett M. Ryden, Nancy J. Reed and Willie Hayes are identified upon the 1896 Census Roll of the Choctaw Nation as citizens by blood, and Henry Pruitt, Opil Smith, A. M. Jackson and Sallie Ryden are identified upon the same roll as Choctaws by marriage, their names having been placed thereon by the Choctaw Revisory Board in January 1897.

February 28, 1907, the Commissioner to the Five Civilized Tribes rendered a decision denying the applications for the enrollment of all the persons included in this case and on the same

date the record in the case was transmitted to the Secretary of the Interior.

March 2, 1907 (Land 29026-1907) the Indian Office recommended the approval of the Commissioner's decision of February 25, 1907 and on March 4, 1907 (I T D 6208, 6108, 6184, 6280, 6962, 7112, 7158, 7482, 7456, 7464, 7494, 7496, 7664, 7668, 7692, 7726, 7710, 7722, 7728, 7738, 7740, 7760, 7784, 7818, 7870, 7888 - 1907) the Secretary of the Interior affirmed the decision refusing the applicants in the case of Henry Pruitt.

It appears that the person referred to in the application made to the Commission to the Five Civilized Tribes on September 9, 1896, as Sallie Jackson, and in the petition filed under the regulations adopted by the Commissioner to the Five Civilized Tribes January 2, 1906, as Sarah L. Jackson, is identical with the writer of the communication inclosed with Indian Office letter of May 29, 1909.

The records of this office do not show that any favorable decision was ever rendered in this case by the Department.

Inasmuch as these persons were not upon an approved roll of citizens of the Choctaw Nation no formal allotments were made to them.

In view of the holding of the Department on June 1, 1909, in the Chickasaw case of Joseph G. Moore et al. it is believed that this case is not analagous to that of John E. Goldby (211 U. S. 249)

[redacted]

(Copy)

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Land.
60051-1909
J I D

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON.

JUL 19 1909

Choctaw enrollment claim
of Sarah L. Jackson.

The Commissioner
to the Five Civilized Tribes,
Muskogee, Oklahoma.

Sir:-

Referring to your report of June 28, 1909, relative to the claim of Sarah L. Jackson to enrollment as a citizen of the Choctaw Nation, you are advised that on June 30, 1909, the Department held that the case of the person mentioned was not analogous to that of John E. Goldsby, and did not come within the principles announced by the Supreme Court of the United States in its decision of November 30, 1908 in that case (211 U. S. 249), and therefore declined to take any action looking to the enrollment of Sarah L. Jackson as a citizen of the Choctaw Nation.

Copies of Office letter of June 30, 1909, and of Department letter of June 30, 1909, are enclosed for your further information. You are requested to notify the parties in interest.

Very respectfully,

(Signed) John Francis Jr
Acting Chief Clerk.

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3095

Land
40061-1908
F E D

Enrollment Case
of Henry Pruitt, et al. JUN 20 1908

The Honorable

The Secretary of the Interior.

Sir:

There is transmitted herewith a report from the Commissioner to the Five Civilized Tribes, dated June 15, 1908, relative to the claim of Sarah L. Jackson to enrollment as a citizen of the Choctaw Nation. The person named was one of the applicants in the case of Henry Pruitt, et al.

It does not appear that the Department ever rendered any decision in favor of the applicants therein. The Office is of the opinion that the case is not analogous to that of John E. Goldsby, and does not come within the principles announced by the Supreme Court of the United States in that case (211 U. S. 249).

The Office therefore recommends that no action be taken by the Department looking to the enrollment of Sarah L. Jackson, or any of the other applicants in the case of Henry Pruitt, et al.

The records in the case is inclosed for your further information.

Very respectfully,

(Signed) R. G. Valentine
Commissioner.

Approved:

Acting Assistant Secretary.

HHH-GR
2540

(COPY)

J. W. H.

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

E.7933 JUN 30 1909

Commissioner of Indian Affairs.

Sir:

Receipt is acknowledged of your letter of June 29, 1909, recommending that no action be taken looking to the enrollment of Sarah L. Jackson or any of the other applicants in the case of Henry Pruitt et al. as citizens of the Choctaw Nation.

I concur in your recommendation in so far as it relates to Sarah L. Jackson and the members of her immediate family, but deem it inadvisable to express any opinion as to the right to enrollment of any other person, inasmuch as the claim asserted by Mrs. Jackson in her letter of May 18, 1909, upon which present action is based, does not include all of the parties to the Pruitt case.

Very respectfully,

(Signed) Frank Pierce

First Assistant Secretary.

7-8183.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Eddrie Beryl Jackson as a citizen by blood of the Choctaw Nation.

-----oOo-----

The applicant, Eddrie Beryl Jackson, claims the right to enrollment as a citizen by blood of the Choctaw Nation through her father Oscar Jackson.

The right of the applicant's father, Oscar Jackson, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, of November 28, 1904, in case No. 46 upon the Tishomingo docket of said court, it is hereby ordered that the application of Eddrie Beryl Jackson for enrollment as a citizen by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Chairman.

Muskogee, Indian Territory,

JAN 24 1905

Choctaw 5183

COPY.

Muskogee, Indian Territory, January 24, 1906.

Oscar Jackson,

McGee, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated January 24, 1906, dismissing the application for the enrollment of your minor child, Eddrie Deryl Jackson as a citizen by blood of the Choctaw Nation.

Respectfully,

[redacted]

Tams Bixby

Chairman.

Registered.

Incl. 7-5183

Choctaw 5183

COPY.

Muskogee, Indian Territory, January 24, 1905.

Mansfield, McMurray & Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission dated January 24, 1905, dismissing the application for the enrollment of Eddrie Beryl Jackson as a citizen by blood of the Choctaw Nation.

Respectfully,

[redacted]

Tams Bixby
Chairman.

Incl. 7-5183

Muskogee, Indian Territory, September 28, 1900.

C. Hutchins,

Mill Creek, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of the 22nd instant in which you desire to be informed if Bell or Adolphus Jackson or Oscar Jackson of McGee, Indian Territory, have been enrolled by this Commission as citizens of either the Choctaw or Chickasaw Nations.

You are informed that the records of this Commission show that A. W. Jackson, 30 years of age, together with his wife, Sallie and his four children , Oscar, Willie, Albert and Jessie Jackson, were listed for enrollment by this Commission as citizens of the Choctaw Nation, September 24th, 1898, they having been admitted to such citizenship by a judgment of the United States Court for the Southern District of the Indian Territory rendered at Ardmore December 22nd, 1897, in court cause No. 141. The residence of these parties at the time they made application for enrollment to this Commission was given as McGee, Indian Territory.

Yours truly,

Acting Chairman.

7-82 As

Muskogee, Indian Territory, May 23, 1901.

Mr. Oscar Jackson.

Modoc, Ind. Ter.

Dear Sir;-

The Commission is in receipt of your letter of the 18th instant returning the application for the enrollment of your child also enclosing original marriage license and certificate between yourself and wife, and explaining to the Commission, the use of the name "Edgar" in your name.

You are informed that the marriage license and certificate has been duly filed with the papers in your case, and the application for the enrollment as a citizen of the Choctaw Nation of Eddrie Beryl Jackson, the infant daughter of Oscar Edgar and Georgia Belle Jackson, born March 5, 1901 being in proper form has been duly filed with the records of the Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

You are informed however that the statement contained in the affidavit of the mother to the birth of the child, that she "is a citizen by marriage of the Choctaw Nation "is incorrect, the records of the Commission do not show that she ever made application for her enrollment as such.

Yours truly,

7-5183.

Acting Chairman.

4 To be substituted.

[redacted], Indian Territory, September 24, 1901.

Mr. J. Frank Kemp,

Albambra, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 23rd instant, requesting to be advised whether or not Del Jackson and his son Oscar Jackson of McAlester, Indian Territory, are citizens of the Choctaw or Chickasaw Nation.

You are informed that the records of this office show that on September 21, 1898, A. M. Jackson, 50 years of age and his wife, Sallie and his children Oscar, Willie, Albert and Bessie Jackson of McAlester, Indian Territory were listed for enrollment as citizens by blood of the Choctaw Nation, having been admitted to citizenship by a judgment of the United States Court for the Southern District of Indian Territory at Ardmore, Indian Territory, December 22, 1897 in court case number 141.

The records further show that the names of these persons are found upon the 1896 Choctaw Census roll as Choctaws residing in the [redacted] Nation. It is believed these are the persons concerning whom your inquiry was made.

Yours truly,

7-5163

Acting Chairman.

4 To be substituted.

[redacted], Indian Territory, September 24, 1901.

Mr. J. Frank Kemp,

Atoka, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 23rd instant, requesting to be advised whether or not Del Jackson and his son Oscar Jackson of McGee, Indian Territory, are citizens of the Choctaw or Chickasaw Nation.

You are informed that the records of this office show that on September 24, 1898, A. M. Jackson, 30 years of age and his wife, Sallie and his children Oscar, Willie, Albert and Bessie Jackson of McGee, Indian Territory were listed for enrollment as citizens by blood of the Choctaw Nation, having been admitted to citizenship by a judgment of the United States Court for the Southern District of Indian Territory at Ardmore, Indian Territory, December 22, 1897 in court case number 141.

The records further show that the names of these persons are found upon the 1896 Choctaw census roll as Choctaws residing in the [redacted] Nation. It is believed these are the persons concerning whom your inquiry was made.

Yours truly,

7-5163

Acting Chairman.

Mr. Oscar [illegible] Jackson,

[illegible] Indian Territory.

Dear Sir:

The Commission is in receipt of the application for enrollment as a citizen of the Choctaw Nation of Edris Beryl Jackson, the infant daughter of Oscar Edgar and Georgia Belle Jackson, born March 5, 1901, and the same is hereby returned to you for further information relative to the parents of this child. It is stated in the affidavit of the mother that her name is Georgia Belle Jackson, that she is 20 years of age and a citizen by intermarriage of the Choctaw Nation and the lawful wife of Oscar Edgar Jackson, who is a citizen by blood of the Choctaw Nation.

You are informed that the Commission is unable to identify either the mother or the reputed infant child as a citizen of the Choctaw Nation. You are further informed that the records of the Commission, however, do show that Oscar Jackson, 18 years of age, son of A. M. and Hallie Jackson, was listed for enrollment by the Commission under date of September 26, 1900, in pursuance to a judgment rendered by the United States Court for the

-2-

D.S.J.

Southern District of Indian Territory, at Muskogee, Indian Territory, December 3rd, 1907, with his wife.

If you are the applicant whose testimony was taken for enrollment as the above named, you are requested to inform the Commission who you now go by the name of Sequoyah Johnson. You are further informed that it will be necessary that you furnish the Commission with either the original marriage license and certificate, or a certified copy thereof, between yourself and your wife, Georgia Belle Jackson, in the matter of the application for the enrollment of your child as a citizen of the Choctaw Nation.

Upon receipt of the application, together with the information requested herein and evidence of your marriage, the application for the enrollment of your child will receive further consideration.

Yours truly,

Acting Chairman.

7-6185
DeB-98

Choctaw 5185

Muskogee, Indian Territory, September 4, 1902.

A. Good,

Mill Creek, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of August 30, 1902, in which you desire to be informed if A. M. Jackson and family, of McGee, Indian Territory, have been enrolled by this Commission as citizens of either the Choctaw or Chickasaw Nation.

Replying to your inquiry you are advised that it appears from our records that on September 24, 1898, A. M. Jackson, 50 years of age, of McGee, Indian Territory, an intermarried white man, and his wife, Sally Jackson, 48 years of age, and their four minor children, Oscar, Willie, Albert and Bessie Jackson, were listed for enrollment by this Commission as citizens of the Choctaw Nation, having been admitted to such citizenship by judgment of the United States Court for the Southern District of the Indian Territory, rendered at Ardmore, Indian Territory, December 22, 1897, in Choctaw citizenship case No. 141.

The names of these persons are also found upon the 1896 census roll of the citizens of the Choctaw Nation as residents of the Chickasaw district.

Yours truly,

T-6255.

Muskogee, Indian Territory, August 29, 1902.

Treasurer of the Choctaw Nation,
Tuska Bota, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 23rd instant, requesting to be advised as to the citizenship of Sally Jackson, fifty years of age, who you state is a resident of Red River County, Choctaw Nation, and is represented to be a Louisiana Choctaw Indian.

It appears from the records of the Commission that on September 24, 1898, application was made to the Commission for the enrollment of A. H. Jackson, fifty years of age, his wife, Sallie Jackson, forty-eight years of age, and their minor children, Oscar Jackson, eighteen years of age, Willie Jackson, fifteen years of age, Albert Jackson, thirteen years of age, and Minnie Jackson, ten years of age, as citizens of the Choctaw Nation, all of said parties having been admitted to such citizenship on December 21, 1897, by a judgment of the United States Court for the Southern District of Indian Territory, under the act of Congress of June 10, 1896, in Court case No. 148. Subsequently, on May 21, 1901, application was made for the enrollment of Angie Boyd Rainey as a citizen of the Choctaw Nation, and further evidence was adduced showing the birth of said child on

-2-

the above sentiment Oscar Jackson and his wife Georgia Ella Jackson, a intermarriage. No final action has been taken by the Commission in the matter of the enrollment of these parties as citizens of the Choctaw Nation.

The records of the Commission do not show that any other Sally Jackson of the age given by you has ever made application to the Commission for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Acting Chairman.

1

REFER IN REPLY TO THE FOLLOWING:
7-5183.

DEPARTMENT OF THE INTERIOR.
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, July 9, 1906.

A. M. Jackson,

Mill Creek, Indian Territory.

Dear Sir:

You are hereby notified that the Commissioner to the Five Civilized Tribes will, at his office at Muskogee, Indian Territory, on Tuesday, July 31, 1906, at nine o'clock A. M., hear such testimony and receive such other evidence as you may desire to introduce in the matter of the application for the enrollment of yourself, your wife and minor children, as citizens of the Choctaw Nation.

Respectfully,

Acting Commissioner.

7-5183.

Muskogee, Indian Territory, October 30, 1906.

A. M. Jackson,

McGee, Indian Territory.

Dear Sir:

You are hereby notified that before any further action can be taken in the matter of your application for enrollment as a citizen by intermarriage of the Choctaw Nation, it will be necessary for you to appear before a representative of the Commissioner to the Five Civilized Tribes at the Land Office at Ardmore, Indian Territory, on Friday, November 9, 1906, at nine o'clock A. M., for the purpose of giving testimony relative to your intermarried status on September 25, 1902.

Respectfully,

Commissioner.

7-5183.

Muskogee, Indian Territory, October 30, 1906.

A. M. Jackson,

McGee, Indian Territory.

Dear Sir:

You are hereby notified that before any further action can be taken in the matter of your application for enrollment as a citizen by intermarriage of the Cherokee Nation, it will be necessary for you to appear before a representative of the Commissioner to the Five Civilized Tribes at the Land Office at Ardmore, Indian Territory, on Friday, November 9, 1906, at nine o'clock A. M., for the purpose of giving testimony relative to your intermarried status on September 25, 1902.

Respectfully,

Commissioner.

7-5183.

Muskogee, Indian Territory, October 30, 1906.

Cruce, Cruce & Bleakmore,

Attorneys at Law,

Ardmore, Indian Territory.

Gentlemen:

This office has this day notified A. M. Jackson of McAlester, Indian Territory, that before any further action can be taken in the matter of his application for enrollment as a citizen by intermarriage of the Choctaw Nation, it will be necessary for him to appear before a representative of the Commissioner to the Five Civilized Tribes at the Land Office at Ardmore, Indian Territory, on Friday, November 9, 1906, at nine o'clock A. M., for the purpose of giving testimony relative to his intermarried status on September 25, 1902.

Respectfully,

Commissioner.

7-5183.

Muskogee, Indian Territory, October 30, 1906.

Cruce, Cruce & Bleakmore,

Attorneys at Law,

Ardmore, Indian Territory.

Gentlemen:

This office has this day notified A. N. Jackson of McGee, Indian Territory, that before any further action can be taken in the matter of his application for enrollment as a citizen by intermarriage of the Choctaw Nation, it will be necessary for him to appear before a representative of the Commissioner to the Five Civilized Tribes at the Land Office at Ardmore, Indian Territory, on Friday, November 9, 1906, at nine o'clock A. M., for the purpose of giving testimony relative to his intermarried status on September 25, 1902.

Respectfully,

Commissioner.

7-5183.

Muskogee, Indian Territory, October 30, 1906.

Mansfield, McMurray & Cornish,
Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

This office has this day notified A. M. Jackson of McAlester, Indian Territory, that before any further action can be taken in the matter of his application for enrollment as a citizen by intermarriage of the Choctaw Nation, it will be necessary for him to appear before a representative of the Commissioner to the Five Civilized Tribes at the Land Office at Ardmore, Indian Territory, on Friday, November 9, 1906, at nine o'clock A. M., for the purpose of giving testimony relative to his intermarried status on September 25, 1902.

Respectfully,

Commissioner.

7-5181.

Muskogee, Indian Territory, October 30, 1906.

Mansfield, McMurray & Cornish,
Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

This office has this day notified A. H. Jackson of McAlester, Indian Territory, that before any further action can be taken in the matter of his application for enrollment as a citizen by intermarriage of the Choctaw Nation, it will be necessary for him to appear before a representative of the Commissioner to the Five Civilized Tribes at the Land Office at Ardmore, Indian Territory, on Friday, November 9, 1906, at nine o'clock A. M., for the purpose of giving testimony relative to his intermarried status on September 25, 1902.

Respectfully,

Commissioner.

4815

choc 5184 J. W. Hyden

7 Dismissed 1-24-05

#3 Dismissed 2-9-05

see C-112

Duplicate record bound

C- 112
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113
121
120
7-5187
5185
5183
5184
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5161.

O.L.J.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Henry Pruitt, et al., as citizens of the Choctaw Nation.

D E C I S I O N.

It appears from the record herein that on September 24, 1898, Henry Pruitt (thirty-one years of age) appeared before the Commission to the Five Civilized Tribes and made application for the enrollment of himself as a citizen by intermarriage of the Choctaw Nation, and for the enrollment of his wife, Nancy Pruitt, (twenty-six years of age), and his three minor children, John M. (ten years of age), Ernest A. (eight years of age), and Eula I. Pruitt (seven years of age), as citizens by blood of said nation; that on September 24, 1898, Cecil Smith, (twenty-four years of age), made application for the enrollment of himself as a citizen by intermarriage of the Choctaw Nation, and for the enrollment of his wife, Maud Smith, (twenty-one years of age), and his minor child, Stanford M. Smith (eight months of age), as citizens by blood of said nation; that on September 24, 1898, A. M. Jackson (fifty years of age) made application for the enrollment of himself as a citizen by intermarriage of the Choctaw Nation, and for the enrollment of his wife, Sallie Jackson (forty-eight years of age), and his four minor children, Oscar (eighteen years of age), Willie (fifteen years of age), Albert (thirteen years of age), and Bessie Jackson (ten years of age), as citizens by blood of said nation; that on September 24, 1898, application was made by J. W. Hyden (forty-six years of age) for the enrollment of himself and his four minor children, George (sixteen years of age), Cleveland (fourteen years of age), Maud (nine years of age), and Mollie Hyden (five years of age), as citizens by blood of the Choctaw Nation, and for the enrollment of his wife, Mollie Hyden (thirty-six years of age), as a citizen by intermarriage of said nation; that on September 24, 1898, application was made by D. M. Hyden (forty-two years of age) for the enrollment of himself and his four minor children, Sallie V. Hyden (fifteen years of age), Pearl M. Wilcoxson (thirteen years of age), Samuel M. Hyden (twelve years of age), and Garnett M. Hyden (seven years of age), as citizens by blood of the Choctaw Nation; and that on September 24, 1898, application was made by Nancy J. Hood (fifty-five years of age) for the enrollment of herself, her minor son, Edward Hood (twenty years of age), and her minor grandchild, Willie Mapes (eleven years of age), as citizens by blood of the Choctaw Nation.

On November 13, 1906, written application was filed for the enrollment of Martha Wilcoxson as a citizen by blood of the Choctaw Nation under the provisions of the Act of Congress approved April 26, 1906 (34 Stats., 137).

It further appears from the record herein that on November 14, 1900, application was made to the Commission to the Five Civilized Tribes for the enrollment of Cecil Jackson Smith (born September 17, 1900) as a citizen by blood of the Choctaw Nation; that on May 23, 1901, application was made for the enrollment of Eldrie Beryl Jackson (born March 5, 1901) as a citizen by blood of said nation; that on November 19, 1901, application was made for the enrollment of Nancy Thwaites Hyden (born September 16, 1900) as a citizen by blood of said nation; and that on August 17, 1901, application was made for the enrollment of Claud Ray Wilcoxson (born August 7, 1901) as a citizen by blood of the Choctaw Nation.

It further appears from the records in the possession of the Commissioner to the Five Civilized Tribes that on September 9, 1896, in the case entitled "J. W. Hyden, et al., vs. Choctaw Nation" (1896 Choctaw Citizenship Docket, Case No. 1344), original application was made to the Commission to the Five Civilized Tribes, under the provisions of the Act of Congress approved June 10, 1896 (29 Stats., 321), for admission to citizenship in the Choctaw Nation of the applicants, Henry Pruitt, Nancy Pruitt, John H. Pruitt, Ernest A. Pruitt, Eula I. Pruitt, Cecil Smith, Maud Smith, A. M. Jackson, Sallie Jackson, Oscar Jackson, Willie Jackson, Albert Jackson, Bessie Jackson, J. W. Hyden, Mollie Hyden, George Hyden, Cleveland Hyden, Maud Hyden, Mollie Hyden, D. M. Hyden, Sallie V. Hyden, Pearl M. Hyden (now Wilcoxson), Samuel M. Hyden, Garnett M. Hyden, Nancy J. Hood, Edward Hood and Willie Mapes; and that on December 8, 1896, said Commission rendered its decision therein denying said application.

From this decision an appeal was taken to the United States Court for the Southern District of Indian Territory, which court, on December 21, 1898, in the case entitled "J. W. Hyden, et al., vs. Choctaw Nation", reversed the decision of said Commission, and admitted said applicants as citizens of the Choctaw Nation.

On December 17, 1902, the Choctaw and Chickasaw Citizenship Court, created under the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641), "set aside, annulled, vacated and held for naught" the aforesaid judgment of the United States Court for the Southern District of the Indian Territory.

Thereafter said cause was certified to said Choctaw and Chickasaw Citizenship Court for a trial de novo, and on November 28, 1904, said court, in the case entitled "J. W. Hyden, et al., vs. Choctaw and Chickasaw Nations" (Choctaw-Chickasaw Citizenship Court Case No. 48, Tishomingo Docket), "ordered, adjudged and decreed that the petition of the plaintiffs, J. W. Hyden, Mrs. Mollie Hyden, Cleveland Hyden, Maud Hyden, Mollie Hyden, Sallie Jackson, A. M. Jackson, Nancy Pruitt, or Nancy P. Pruitt, Henry Pruitt, John Henry Pruitt, Evans A Pruitt, Eula Irine Pruitt, or Eula Irene Pruitt, Maud Smith, Cecil Smith, Oscar Jackson, Willie Jackson, Albert Jackson, Bessie Jackson, D. M. Hyden, Pearl Hyden, Sam Hyden, Garnett Hyden, M. J. Hood, Edward Hood, or Elwood Hood, Willie Mapes, or Willie Mopes. . . . . .be denied, and that they be declared not citizens of the Choctaw Nation, and not entitled to enrollment as such citizens, and not entitled to any rights whatever flowing therefrom".

On January 24, 1905, the Commission to the Five Civilized Tribes entered of record orders dismissing the applications for the enrollment of Mumford M. Smith, Cecil Jackson Smith, Midrie Beryl Jackson, Nancy Thwaites Hyden, and Claud Ray Wilcoxson, for the reason that their parents, through whom they claimed their right to enrollment, had been denied by the Choctaw and Chickasaw Citizenship Court. On February 9, 1905, the application for the enrollment of George Hyden was dismissed for the reason that he failed to appeal to said Choctaw and Chickasaw Citizenship Court,

Under the regulations adopted by the Commissioner to the Five Civilized Tribes January 2, 1906, there were filed by Cruce, Cruce and Bleakmore, attorneys at law, Ardmore, Indian Territory, on April 2, 1906, petitions praying for the enrollment of Henry Pruitt, Nannie Jackson Pruitt, John Pruitt, Earnest A. Pruitt, Nala Irene Pruitt, A. M. Jackson, Sarah L. Jackson, Albert M. Jackson, and William D. Jackson as citizens of the Choctaw Nation, and on April 21, 1906, petitions were filed praying for the enrollment of J. W. Hyden, Mollie Hyden, Cleave Hyden, Maude Hyden, Mollie Hyden, Jr., Thwaites Hyden, D. M. Hyden, Sarah V. Hyden Byars, Pearl M. Hyden Wilcoxson, Samuel M. Hyden, Garnette M. Hyden, Levi Byars, Ray Wilcoxon, Bud Wilcoxon, Nancy J. Hood, Ed Hood, Willie Gilliland, Cecil Smith, Maud Jackson Smith, Mumford M. Smith, Cecil Smith, Jr., Oscar E. Jackson, Edna Byrl Jackson and Bessie Jackson Shi as citizens of the Choctaw Nation.

All of the above petitioners are identical with the applicants for whom application was theretofore made for enrollment as citizens of the Choctaw Nation, with the exception of George Hyden, Levi Byars and Bud Wilcoxon. Levi Byars was born November 15, 1900, and Bud Wilcoxon was born February 23, 1903.

The record in this case shows that the applicants, D. M. Hyden, Nancy J. Hood, Sallie Mackson, and J. W. Hyden, are the children of Samuel Hyden, who was the son of John Hyden and one Elizabeth Brashears, who is alleged to have been a Choctaw by blood, who resided in the State of Mississippi; that Sallie E. Hyden, Pearl M. Wilcoxson, Samuel M. Hyden and Garnett M. Hyden are the children of said D. M. Hyden and Vicey Hyden (deceased), a non-citizen; that Claud Ray Wilcoxson is the son of Pearl M. Wilcoxson and William Wilcoxson, a non-citizen; that the applicant, Edward Hood, is the son of Nancy J. Hood and J. T. Hood (deceased), a non-citizen; that Willie Mapes is the daughter of Lenora Mapes (deceased) who was the daughter of said Nancy J. Hood and J. T. Hood; that Oscar Jackson, Willie Jackson, Albert Jackson, Bessie Jackson, Maud Smith and Nancy Pruitt are the children of the applicants, Sallie Jackson and A. M. Jackson; that John H. Pruitt, Ernest A. Pruitt and Henry Pruitt; that Mumford M. Smith and Cecil Jackson Smith are the children of the applicants, Maud Smith and Cecil Smith; that Midrie Beryl Jackson is the daughter of the applicant, Oscar Jackson, and Georgia Bell Jackson, a non-citizen; and that George Hyden, Cleveland Hyden, Maud Hyden, Mollie Hyden and Nancy Thwaites Hyden are the children of the applicants, J. W. Hyden and Mollie Hyden.

It further appears from the record herein that Henry Pruitt claims his right to enrollment as a citizen by intermarriage of the Choctaw Nation by reason of his marriage under the laws of

the State of Texas, to the applicant, Nancy Pruitt; that Cecil Smith claims his right to enrollment as a citizen by intermarriage of said nation by virtue of his marriage to the applicant, Maud Smith; that A. M. Jackson claims his right to enrollment as a citizen by intermarriage of said nation by reason of his marriage to the applicant, Sallie Jackson; and that Mollie Hyden claims her right to enrollment as a citizen by intermarriage of said nation by reason of her marriage to the applicant, J. W. Hyden.

Upon an examination of the tribal rolls of the Choctaw Nation in the possession of this office it appears that the applicants, Nancy Pruitt, John H. Pruitt, Ernest A. Pruitt, Nula I. Pruitt, Maud Smith, Sallie Jackson, Oscar Jackson, Willie Jackson, Albert Jackson, Bessie Jackson, J. W. Hyden, George Hyden, Cleveland Hyden, Maud Hyden, Mollie Hyden, D. M. Hyden, Sallie V. Hyden, Pearl M. Wilcoxson, Samuel M. Hyden, Garnett M. Hyden, Nancy J. Hood and Willie Mapes, are identified upon the 1896 Choctaw Census Roll, opposite numbers 10618, 10620, 10623, 10624, 7411, 7410, 1412, 7413, 7414, 7415, 6187, 6188, 6191, 6190, 6189, 6192, 6193, 6 194, 6195, 6196, 6172 and 6936, respectively. The applicants, Henry Pruitt, Cecil Smith, A. M. Jackson and Mollie Hyden, are identified upon the 1896 Choctaw Census Roll, opposite numbers 14952, 15084, 14714, and 14675, respectively, enrolled thereon as citizens by intermarriage of the Choctaw Nation. The persons above mentioned were placed on the 1896 Choctaw Census Roll by the Choctaw Revisory Board in January, 1897.

It does not appear from the record herein or from the records in the possession of this office that the applicant, Edward Hood, has ever been enrolled by the Choctaw tribal authorities as a member of the Choctaw tribe, or admitted to Choctaw citizenship by any duly constituted authority.

The record in this case further shows that George Hyden and Sallie V. Hyden died prior to September 25, 1902.

Relative to the question whether or not the applicants herein are possessed of Choctaw blood, there has been submitted the testimony of J. W. Hyden, D. M. Hyden, Edward M. Everidge and Joseph R. Lawrence.

J. W. Hyden, on November 13, 1906, testified that he was fifty-four years of age, and the son of Samuel Hyden, a Choctaw by blood, and Nancy D. Hyden, a white woman; that Samuel Hyden was born in the State of Virginia, afterwards removing to the State of Missouri, and then to the State of Texas; that Samuel Hyden was the son of John Hyden, a white man, and Elizabeth Hyden (nee Brashears), a one-half blood Choctaw Indian; and that said Elizabeth Brashears was the daughter of Turner Brashears.

D. M. Hyden, on said date, also testified that he was fifty years of age, and that he did not know any of his family history other than that he understood that Elizabeth Brashears was his grandmother, and that Turner Brashears was her father.

On January 15, 1907, Edward M. Everidge testified that he was fifty-five years of age and the son of Jeel W. Everidge, a Choctaw by blood, who died in 1901, at the age of seventy-three, and Sophia Everidge, also a Choctaw by blood, who was born in about the year 1830; that Jeel W. Everidge was the son of Thomas Everidge, a white man, and Eve Brashears, a one-half blood Choctaw Indian, who died between the years 1870 and 1875; and that said Eve Brashears was the daughter of R. Turner Brashears, a white man. Said

witness further testified that Eve Brashears had two full berthers and two full sisters, whose names were Elizabeth, Lewis, Ben and Isabelle; that he had been acquainted with the principal applicants herein only a few years, and that only information he had relative to the question whether or not the applicants are possessed of Choctaw blood was a statement made to him by his father to the effect that they were related to him, witness' grandmother being a full sister of the grandmother of the principal applicants herein.

Joseph R. Lawrence, on January 30, 1907, testified that he was seventy-three years of age, and was born in the Indian Territory; that he was the son of David Lawrence and Mary L. Lawrence; that Mary L. Lawrence was the daughter of Joseph Fisher and Elizabeth Fisher, the latter being a daughter of Turner Brashears; that Elizabeth Fisher (nee Brashears) was born in Mississippi and died there prior to the witness' birth; that she had four children by her husband, Joseph Fisher, whose names were Silas D., Mary L., Rebecca and Narcissie; that he was personally acquainted with Joseph Fisher, the husband of Elizabeth Fisher, having resided with him in the Indian Territory for a period of eight years, said Joseph Fisher dying when the witness was fourteen years of age; and that at no time had he ever heard that Elizabeth Fisher (nee Brashears) had ever been married to any one other than Joseph Fisher, or that she had ever had any children other than those above mentioned. Said witness further testified that it was his understanding from family history that Turner Brashears had two daughters, one named Elizabeth, who was his grandmother, and one named Eve, who married an Everidge.

I am of the opinion that the evidence establishes that the applicants herein are not descendants of the Elizabeth Brashears ~~who was~~ the daughter of Turner Brashears, and that they are not possessed of Choctaw blood?

I am further of the opinion that the applicants herein who were enrolled upon the 1896 Choctaw Census Roll as citizens by blood of the Choctaw Nation were placed thereon without authority of law; and that their names should be stricken therefrom, under the provisions of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

I am further of the opinion that the applications for the enrollment of Nancy Pruitt, John N. Pruitt, Ernest A. Pruitt, Nula I. Pruitt, Maud Smith, Sallie Jackson, Oscar Jackson, Willie Jackson, Albert Jackson, Bessie Jackson, J. W. Hyden, Cleveland Hyden, Maud Hyden, Mallie Hyden, D. N. Hyden, Pearl M. Wilcoxson, Samuel M. Hyden, Garnett M. Hyden, Nancy J. Hood, Edward Hood and Willie Hayes as citizens by blood of the Choctaw Nation, and the petitions herein in so far as they apply to said applicants, should be denied, under the provisions of the Acts of Congress approved June 28, 1898 (30 Stats., 495), and July 1, 1902 (32 Stats., 641), and it is so ordered.

I am further of the opinion that the orders of the Commission to the Five Civilized Tribes of January 24, 1906, and February 9, 1906, dismissing the applications for the enrollment of Bamford M. Smith, Cecil Jackson Smith, Eddrie Beryl Jackson, George Hyden, Nancy Thwaites Hyden and Claud Ray Wilcoxson, as citizens by blood of the Choctaw Nation should be rescinded, and that the applications for the enrollment of all of said applicants, with the exception of George Hyden, and the petitions herein in so far as they apply to said applicants, should be denied, under the provisions of the Acts of Congress approved June 28, 1898 (30 Stats., 495), and July 1, 1902 32 Stats., 641), and it is so ordered.

I am further of the opinion that the applications for the enrollment of Henry Pruitt, Wallis Hyden, Sarah Smith and A. M. Jackson as citizens by intermarriage of the Choctaw Nation, and the petitions herein in so far as they apply to said applicants, should be denied, under the provisions of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

I am further of the opinion that the petition for the enrollment of Levi Byars and Bud Wilcoxson as citizens of the Choctaw Nation should be considered as an application for their enrollment as citizens by blood of said nation under the provisions of the Act of Congress approved April 26, 1906 (34 Stats., 137), and that said applications should be denied under the provisions of said act, and it is so ordered.

I am further of the opinion that inasmuch as George Hyden and Sallie V. Hyden died prior to September 25, 1902, their applications for enrollment as citizens by blood of the Choctaw Nation, and the petitions herein in so far as they apply to said applicants, should be dismissed, and it is so ordered.

I am further of the opinion that inasmuch as the application for the enrollment of Martha Wilcoxson as a citizen by blood of the Choctaw Nation was not made within the time limited by Section Two of the Act of Congress approved April 26, 1906 (34 Stats?, 137), I am without authority to receive or consider any application for enrollment as such; that I should decline to receive the same, and it is so ordered.

(signed) TAMS BIXBY,

Commissioner.

Muskogee, Indian Territory,

Feb. 28, 1907.

Land.
[illegible]-1909
J F B

W H L

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON. May 20 1909

Enrollment cases of
J. W. Ryder et al.

The Commissioner
to the Five Civilized Tribes,
Muskogee, Oklahoma.

Sir:

There is transmitted herewith a letter dated May 15, 1909, from Sarah L. Jackson, who claims a right to enrollment as a citizen of the Choctaw Nation. She requests information as to whether her case is analogous to that of John R. Goldsby (211 U. S. 249). You are requested to furnish a report concerning her case, following the general instructions contained in Department letter of March 15, 1909 (File 8-61).

Very respectfully,

F. Hauke

Chief Clerk.

WCMcC-27
1581

D 626-1909

[illegible], Oklahoma, June 10,1909.

Subject:

Enrollment made of
J. W. Hyden et al.

The Honorable,

the Commissioner of Indian Affairs,

Sir:

Receipt is hereby acknowledged of Indian Office letter of May 22, 1909 (Land 30491-1909, J. M.) inviting, for report, letter of May 18, 1909, from Sarah L. Jackson, who claims a right to enrollment as a citizen of the Cherokee Nation, and desires information as to whether her case is analogous to that of John H. Gridley (XII L. D. 320).

Report is requested, following the general instructions contained in Departmental letter of March 15, 1909 (Title S-61).

Reporting in this matter I have the honor to advise that it appears from the records of this office that on September 9, 1896, original application was made to the Commission to the Five Civilized Tribes, in the cases entitled J. W. Hyden et al. versus the Cherokee Nation, 1896 Cherokee Citizenship Case Number 1544, for admission as citizens of the Cherokee Nation of the applicants, Henry Pruitt, Nancy Pruitt, John E. Pruitt, Ernest A. Pruitt,

I. T. 2

Nola L. Pruitt, Cecil Smith, Ethel Smith, A M Jackson, Sallie Jackson, Oscar Jackson, Willie Jackson, Albert Jackson, Minnie Jackson, J. W. Hyden , Nellie Hyden, George Hyden, Cleveland Hyden, Maud Hyden, Nellie Hyden, R. M. Hyden, Ellis V. Hyden, Pearl M. Hyden (now Wilcoxson), Samuel M. Hyden, Garnett M. Hyden, Nancy J. Reed, Edward Reed and Willie Rogers; and that on December 8, 1906, said Commission rendered its decision denying this application.

From this decision an appeal was taken to the United States Court for the Southern District of Indian Territory, which court, on December 21, 1908, in the case entitled J. W. Hyden et al. versus the Cherokee Nation, reversed the decision of said Commission and admitted the applicants as citizens of the Cherokee Nation.

Pursuant to this judgment of the United States Court the persons named above made application to the Commission to the Five Civilized Tribes for the enrollment of themselves and their minor children, born since the date of the original application, as citizens of the Cherokee Nation under the provisions of the Act of Congress approved June 28, 1898 (30 Stat.,495).

December 17, 1902, the Cherokee and Chickasaw Citizenship Board rendered under the provisions of the Act of Congress approved May 31 (32 Stat.,641), "said order, summons, record and writs" the judgment of the United States Court for the Southern District aforesaid, in the test case, entitled the

Choctaw and Chickasaw Nations or Tribes versus J. T. Riddle et al.

Subsequently this cause was certified to the Choctaw and Chickasaw Citizenship Court for a trial de novo and on November 28, 1904, in the cause entitled J. W. Hyden et al. versus the Choctaw and Chickasaw Nations, Case Number 48 on the Tishomingo Docket, said Court ordered, adjudged and decreed that the petition of the plaintiffs be denied and that they be declared not citizens of the Choctaw Nation, and not entitled to enrollment as such citizens, and not entitled to any rights whatever flowing therefrom.

January 24, 1906, the Commission to the Five Civilized Tribes entered of record orders dismissing the applications for enrollment of Mumford M. Smith, Ozell Jackson Smith, Edgie Beryl Jackson, Nancy Thornton Hyden and Claud Ray Vincennes, for the reason that their parents, through whom they claimed the right to enrollment, had been denied by the Choctaw and Chickasaw Citizenship Court.

February 9, 1906, the application for the enrollment of George Hyden was dismissed by the Commission for the reason that he failed to take an appeal to the Choctaw and Chickasaw Citizenship Court.

Under the regulations adopted by the Commissioner to the Five Civilized Tribes February 2, 1906, there were filed by Green, Green & Blackmore, attorneys at law, Ardmore, Indian Territory, on April 2, 1906, petitions praying for the enrollment of Henry

Pruitt, Bennie Jackson Pruitt, John Pruitt, Emmett A. Pruitt, Nola Irene Pruitt, A. N. Jackson, Sarah L. Jackson, Albert N. Jackson, and William B. Jackson, and on April 24, 1903, petitions were filed praying for the enrollment of J. W. Hyden, Willie Hyden, Clarence Hyden, Sandy Hyden, Willie Hyden Jr., Ernestine Hyden, R. M. Hyden, Sarah V. Hyden Myers, Pearl M. Hyden Wilcoxson, Samuel M. Hyden, Garnette M. Hyden, Revi Myers, Ray Wilcoxson, Red Wilcoxson, Henry J. Reed, Ed Reed, Willie Hilliland, Cecil Smith, Maud Jackson Smith, Mumford M. Smith, Cecil Smith Jr., Omer M. Jackson, Mina Myrl Jackson and Bennie Jackson Sbi as citizens of the Chickasaw Nation.

The names of Henry Pruitt, John H. Pruitt, Ernest A. Pruitt, Nola I. Pruitt, Maud Smith, Sallie Jackson, Omer Jackson, Willie Jackson, Albert Jackson, Bennie Jackson, J. W. Hyden, George Hyden, Clevland Hyden, Maud Hyden, Willie Hyden, R. M. Hyden, Sallie V. Hyden, Pearl M. Wilcoxson, Samuel M. Hyden, Garnett M. Hyden, Henry J. Reed and Willie Hayes are identified upon the 1896 Dawes Roll of the Chactaw Nation as citizens by blood, and Henry Pruitt, Cecil Smith, A. N. Jackson and Willie Hyden are identified upon the same roll as Chactaws by marriage, their names having been placed thereon by the Choctaw Residency Board in January 1897.

February 28, 1907, the Commissioner to the Five Civilized Tribes rendered a decision denying the applications for the enrollment of all the persons included in this case and on the same

date the record in the case was transmitted to the Secretary of the Interior.

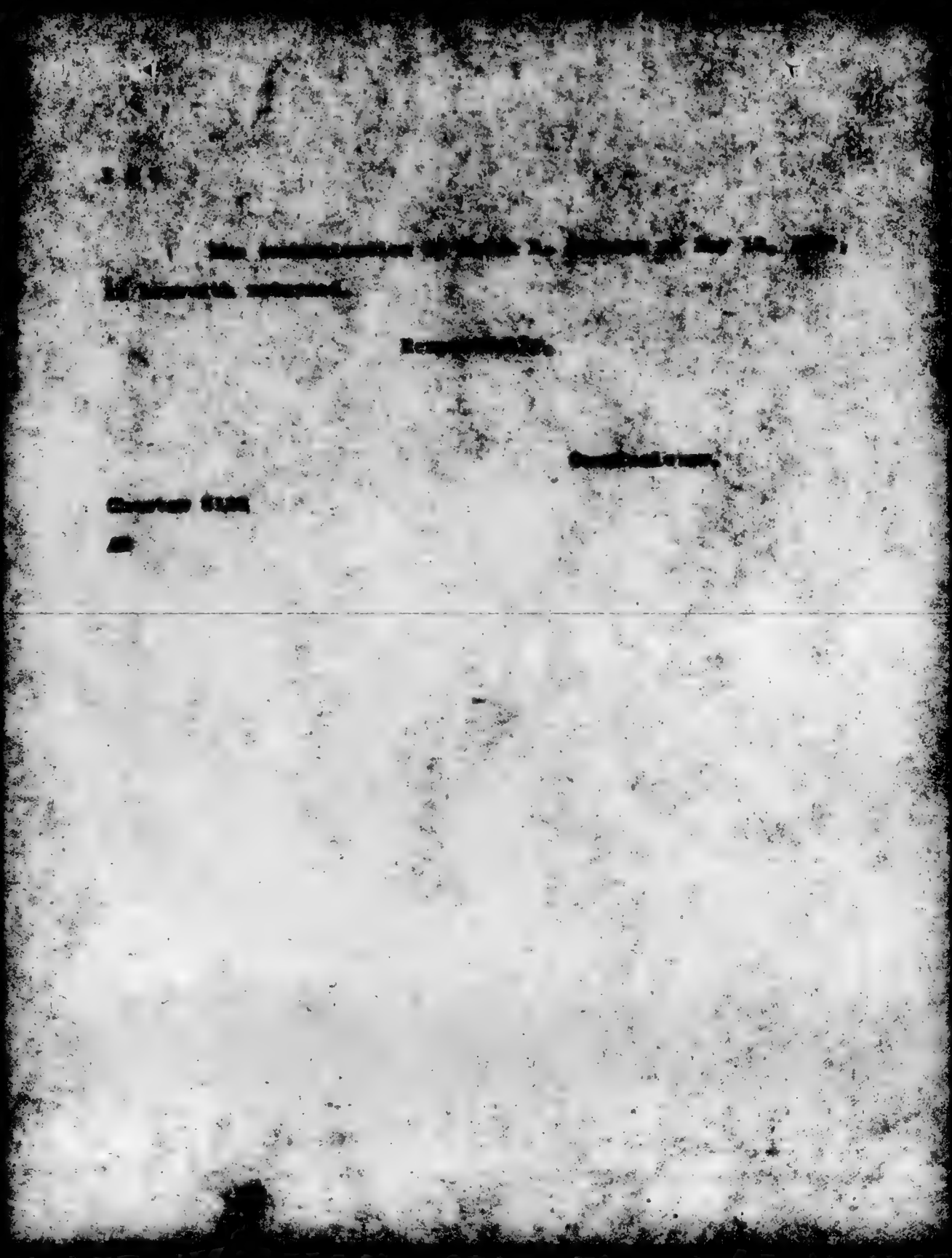
March 8, 1907 (Land 20936-1907) the Indian Office recommended the approval of the Commissioner's decision of February 25, 1907 and on March 4, 1907 (I T D 4288, 5288, 6184, 6288, 6952, 7112, 7460, 7482, 7486, 7484, 7484, 7486, 7664, 7688, 7692, 7706, 7710, 7722, 7726, 7732, 7740, 7750, 7756, 7818, 7870, 7888 - 1907) the Secretary of the Interior affirmed the decision refusing the applicants in the case of Henry Pruitt.

It appears that the person referred to in the application made to the Commission to the Five Civilized Tribes on September 9, 1896, as Sallie Jackson, and in the petition filed under the regulations adopted by the Commissioner to the Five Civilized Tribes January 2, 1906, as Sarah L. Jackson, is identical with the writer of the communication inclosed with Indian Office letter of May 29, 1909.

The records of this office do not show that any favorable decision was ever rendered in this case by the Department.

Inasmuch as these persons were not upon an approved roll of citizens of the Choctaw Nation no formal allotments were made to them.

In view of the holding of the Department on June 1, 1909, in the Chickasaw case of Joseph C. Moore et al. it is believed that this case is not analogous to that of John H. Goldsby (XII L.D.248)



(0930)

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40861-1909
J R D

S.31782

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON.

G.R.
JUL 19 1909

Choctaw enrollment claim
of Sarah L. Jackson.

The Commissioner
to the Five Civilized Tribes,
Muskogee, Oklahoma.

Sir:-

Referring to your report of June 18, 1909, relative to the claim of Sarah L. Jackson to enrollment as a citizen of the Choctaw Nation, you are advised that on June 30, 1909, the Department held that the case of the person mentioned was not analogous to that of John E. Goldsby, and did not come within the principles announced by the Supreme Court of the United States in its decision of November 30, 1908 in that case (211 U. S. 249), and therefore declined to take any action looking to the enrollment of Sarah L. Jackson as a citizen of the Choctaw Nation.

Copies of Office letter of June 29, 1909, and of Department letter of June 30, 1909, are enclosed for your further information. You are requested to notify the parties in interest.

Very respectfully,

(Signed) John Francis Jr.
Acting Chief Clerk.

NCS-13
3098

(Copy)

2-18392

Land
48061-1909
J E D

Enrollment case
of Henry Pruitt, et al. JUN 29 1909

The Honorable

The Secretary of the Interior.

Sir:

There is transmitted herewith a report from the Commissioner to the Five Civilized Tribes, dated June 18, 1909, relative to the claim of Sarah L. Jackson to enrollment as a citizen of the Choctaw Nation. The person named was one of the applicants in the case of Henry Pruitt, et al.

It does not appear that the Department ever rendered any decision in favor of the applicants therein. The Office is of the opinion that the case is not analogous to that of John E. Goldsby, and does not come within the principles announced by the Supreme Court of the United States in that case (211 U. S. 249).

The Office therefore recommends that no action be taken by the Department looking to the enrollment of Sarah L. Jackson, or any of the other applicants in the case of Henry Pruitt, et al.

The records in the case is inclosed for your further information.

Very respectfully,

SEW-22
2540

Approved: (Signed) R. G. Valentine
Commissioner.
First Assistant Secretary.

(COPY)

LLB J. W. M.

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

R-7955 JUN 29 1909

Commissioner of Indian Affairs.

Sir:

Receipt is acknowledged of your letter of June 29, 1909, recommending that no action be taken looking to the enrollment of Sarah L. Jackson or any of the other applicants in the case of Henry Pruitt et al. as citizens of the Choctaw Nation.

I concur in your recommendation in so far as it relates to Sarah L. Jackson and the members of her immediate family, but deem it inadvisable to express any opinion as to the right to enrollment of any other person, inasmuch as the claim asserted by Mrs. Jackson in her letter of May 18, 1909, upon which present action is based, does not include all of the parties to the Pruitt case.

Very respectfully,

(Signed) Frank Pierce

First Assistant Secretary.

D&W

7-8164.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Nancy Thwaites Hyden as a citizen by blood of the Choctaw Nation.

-----oOo-----

The applicant, Nancy Thwaites Hyden, claims the right to enrollment as a citizen by blood of the Choctaw Nation through her father J. W. Hyden.

The right of the applicant's father, J. W. Hyden, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, of November 26, 1904, in case No. 48 upon the Tishomingo docket of said court, it is hereby ordered that the application of Nancy Thwaites Hyden for enrollment as a citizen by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Chairman.

Muskogee, Indian Territory,

JAN 24 1905

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Choctaw Nation

COPY.

Muskogee, Indian Territory, January 24, 1903.

T. W. Hyden,

Mcmee, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated January 24, 1903, dismissing the application for the enrollment of your minor child, Nancy Thwaites Hyden as a citizen by blood of the Choctaw Nation.

Respectfully,

[redacted]

James Bixby

Chairman.

Registered.

Indl. 7-5184

Practice Rules

COPY.

Muskogee, Indian Territory, January 24, 1906.

Mansfield, McMurray & Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission dated January 24, 1906, dismissing the application for the enrollment of Nancy Thwaites Hyden as a citizen by blood of the Choctaw Nation.

Respectfully,

[redacted]

James Bixby

Chairman.

Incl. 7-6184

Muskogee, Indian Territory, January 19, 1901.

J. W. Hyden,

McGee, Indian Territory.

Dear Sir:

The Commission is in receipt of the application for enrollment as a citizen of the Choctaw Nation of Nancy Thomaites Hyden, the infant daughter of J. W. and Nellie M. Hyden, born September 16th, 1900, and the same being in proper form has been duly filed with the records of this Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Acting Chairman.

7-5104

Choctaw 8184

Muskogee, Indian Territory, October 13, 1902.

J. K. Rimmer,

Wayne, Indian Territory.

Dear Sir:

Your letter of October 3, 1902, addressed to the United States Indian Agent, has been by him referred to this Commission for reply.

Therein you desire to be informed if Pink Seesums and J. W. Wyden are enrolled as citizens of the Choctaw Nation.

Replying to your letter you are advised that it does not appear from an examination of our records that any person by the name of Pink Seesums has been listed for enrollment by this Commission as a citizen of the Choctaw Nation or that any application has ever been made for such enrollment.

You are further advised that it appears from our records that on September 24, 1898, J. W. Hyden, 46 years of age, of McGee, Indian Territory, was listed for enrollment by this Commission as a citizen of the Choctaw Nation, having been admitted to such citizenship by a judgment of the United States Court for the Southern District of the Indian Territory, rendered at Ardmore,

J.E.B.C.

Indian Territory, on December 22, 1897 to Thomas citizenship case No. 141.

Respectfully,

Commissioner in Charge.

7-5184.

Muskogee, Indian Territory, October 30, 1906.

J. W. Hyden,

McGee, Indian Territory.

Dear Sir:

You are hereby notified that before any further action can be taken in the matter of the application for the enrollment of your wife, Mollie Hyden, as a citizen by intermarriage of the Choctaw Nation, it will be necessary for you to appear before a representative of the Commissioner to the Five Civilized Tribes at the Land Office at Ardmore, Indian Territory, on Friday, November 9, 1906, at nine o'clock A. M., for the purpose of giving testimony relative to her intermarried status on September 25, 1902. It is also desired that you be prepared to furnish the exact date of the death of your son, George Hyden.

Respectfully,

Commissioner.

7-5184.

Muskogee, Indian Territory, October 30, 1906.

J. W. Ryden,

McGee, Indian Territory.

Dear Sir:

You are hereby notified that before any further action can be taken in the matter of the application for the enrollment of your wife, Mollie Ryden, as a citizen by intermarriage of the Choctaw Nation, it will be necessary for you to appear before a representative of the Commissioner to the Five Civilized Tribes at the Land Office at Ardmore, Indian Territory, on Friday, November 9, 1906, at nine o'clock A. M., for the purpose of giving testimony relative to her intermarried status on September 25, 1902. It is also desired that you be prepared to furnish the exact date of the death of your son, George Ryden.

Respectfully,

Commissioner.

7-5184.

Muskogee, Indian Territory, October 30, 1906.

Cruce, Cruce & Bleakmore,

Atterneys at Law,

Ardmore, Indian Territory.

Gentlemen:

This office has this day notified J. W. Hyden of McGee, Indian Territory, that before any further action can be taken in the matter of the application for the enrollment of his wife, Mollie Hyden, as a citizen by intermarriage of the Choctaw Nation, it will be necessary for him to appear before a representative of the Commissioner to the Five Civilized Tribes at the Land Office at Ardmore, Indian Territory, on Friday, November 9, 1906, at nine o'clock A. M., for the purpose of giving testimony relative to her intermarried status on September 25, 1902. He should also be prepared to furnish the exact date of the death of his son, George Hyden.

Respectfully,

Commissioner.

7-5184.

Muskogee, Indian Territory, October 30, 1906.

Cruce, Cruce & Bleakmore,

Attorneys at Law,

Ardmore, Indian Territory.

Gentlemen:

This office has this day notified J. W. Hyden of McGee, Indian Territory, that before any further action can be taken in the matter of the application for the enrollment of his wife, Mollie Hyden, as a citizen by intermarriage of the Choctaw Nation, it will be necessary for him to appear before a representative of the Commissioner to the Five Civilized Tribes at the Land Office at Ardmore, Indian Territory, on Friday, November 9, 1906, at nine o'clock A. M., for the purpose of giving testimony relative to her intermarried status on September 25, 1902. He should also be prepared to furnish the exact date of the death of his son, George Hyden.

Respectfully,

Commissioner.

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T-6184.

Muskogee, Indian Territory, October 30, 1906.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

This office has this day notified J. W. Hyden of McGee, Indian Territory, that before any further action can be taken in the matter of the application for the enrollment of his wife, Mollie Hyden, as a citizen by intermarriage of the Choctaw Nation, it will be necessary for him to appear before a representative of the Commissioner to the Five Civilized Tribes at the Land Office at Ardmore, Indian Territory, on Friday, November 9, 1906, at nine o'clock A. M., for the purpose of giving testimony relative to her intermarried status on September 25, 1902, and that he should also be prepared to furnish the exact date of the death of his son, George Hyden.

Respectfully,

Commissioner.

T-8184.

Muskogee, Indian Territory, October 30, 1906.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

This office has this day notified J. W. Hyden of McGee, Indian Territory, that before any further action can be taken in the matter of the application for the enrollment of his wife, Nellie Hyden, as a citizen by intermarriage of the Choctaw Nation, it will be necessary for him to appear before a representative of the Commissioner to the Five Civilized Tribes at the Land Office at Ardmore, Indian Territory, on Friday, November 9, 1906, at nine o'clock A. M., for the purpose of giving testimony relative to her intermarried status on September 25, 1902, and that he should also be prepared to furnish the exact date of the death of his son, George Hyden.

Respectfully,

Commissioner.

Chac 5185 Cecil J. Smith

#3-4 Dismissed 1-27-45

See C-112

Duplicate record found

5185

C- 112
119
113
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7-5167
5186
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5181.

O.L.J.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Henry Pruitt, et al., as citizens of the Choctaw Nation.

DECISION.

It appears from the record herein that on September 24, 1898, Henry Pruitt (thirty-one years of age) appeared before the Commission to the Five Civilized Tribes and made application for the enrollment of himself as a citizen by intermarriage of the Choctaw Nation, and for the enrollment of his wife, Nancy Pruitt, (twenty-six years of age), and his three minor children, John H. (ten years of age), Ernest A. (eight years of age), and Eula I. Pruitt (seven years of age), as citizens by blood of said nation; that on September 24, 1898, Cecil Smith, (twenty-four years of age), made application for the enrollment of himself as a citizen by intermarriage of the Choctaw Nation, and for the enrollment of his wife, Maud Smith, (twenty-one years of age), and his minor child, Mumford M. Smith (eight months of age), as citizens by blood of said nation; that on September 24, 1898, A. M. Jackson (fifty years of age) made application for the enrollment of himself as a citizen by intermarriage of the Choctaw Nation, and for the enrollment of his wife, Sallie Jackson (forty-eight years of age), and his four minor children, Oscar (eighteen years of age), Willie (fifteen years of age), Albert (thirteen years of age), and Bessie Jackson (ten years of age), as citizens by blood of said nation; that on September 24, 1898, application was made by J. W. Hyden (forty-six years of age) for the enrollment of himself and his four minor children, George (sixteen years of age), Cleveland (fourteen years of age), Maud (nine years of age), and Mallie Hyden (five years of age), as citizens by blood of the Choctaw Nation, and for the enrollment of his wife, Mollie Hyden (thirty-six years of age), as a citizen by intermarriage of said nation; that on September 24, 1898, application was made by D. M. Hyden (forty-two years of age) for the enrollment of himself and his four minor children, Sallie V. Hyden (fifteen years of age), Pearl M. Wilcoxson (thirteen years of age), Samuel M. Hyden (twelve years of age), and Garnett M. Hyden (seven years of age), as citizens by blood of the Choctaw Nation; and that on September 24, 1898, application was made by Nancy J. Reed (fifty-five years of age) for the enrollment of herself, her minor son, Edward Reed (twenty years of age), and her minor grandchild, Willie Hayes (eleven years of age), as citizens by blood of the Choctaw Nation.

On November 13, 1906, written application was filed for the enrollment of Martha Wilcoxson as a citizen by blood of the Choctaw Nation under the provisions of the Act of Congress approved April 26, 1906 (34 Stats., 137).

It further appears from the record herein that on November 14, 1900, application was made to the Commission to the Five Civilized Tribes for the enrollment of Cecil Jackson Smith (born September 17, 1900) as a citizen by blood of the Choctaw Nation; that on May 23, 1901, application was made for the enrollment of Edrie Beryl Jackson (born March 5, 1901) as a citizen by blood of said nation; that on November 19, 1901, application was made for the enrollment of Nancy Thwaites Hyden (born September 16, 1900) as a citizen by blood of said nation; and that on August 17, 1901, application was made for the enrollment of Claud Ray Wilcoxson (born August 7, 1901) as a citizen by blood of the Choctaw Nation.

It further appears from the records in the possession of the Commissioner to the Five Civilized Tribes that on September 9, 1896, in the case entitled "J. W. Hyden, et al., vs. Choctaw Nation" (1896 Choctaw Citizenship Docket, Case No. 1344), original application was made to the Commission to the Five Civilized Tribes, under the provisions of the Act of Congress approved June 10, 1896 (29 Stats., 321), for admission to citizenship in the Choctaw Nation of the applicants, Henry Pruitt, Nancy Pruitt, John H. Pruitt, Ernest A. Pruitt, Eula I. Pruitt, Cecil Smith, Maud Smith, A. M. Jackson, Sallie Jackson, Oscar Jackson, Willie Jackson, Albert Jackson, Bessie Jackson, J. W. Hyden, Mollie Hyden, George Hyden, Cleveland Hyden, Maud Hyden, Mollie Hyden, D. M. Hyden, Sallie V. Hyden, Pearl M. Hyden (now Wilcoxson), Samuel M. Hyden, Garnett M. Hyden, Nancy J. Hood, Edward Hood and Willie Mapes; and that on December 8, 1896, said Commission rendered its decision therein denying said application.

From this decision an appeal was taken to the United States Court for the Southern District of Indian Territory, which court, on December 21, 1898, in the case entitled "J. W. Hyden, et al., vs. Choctaw Nation", reversed the decision of said Commission, and admitted said applicants as citizens of the Choctaw Nation.

On December 17, 1902, the Choctaw and Chickasaw Citizenship Court, created under the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641), "set aside, annulled, vacated and held for naught" the aforesaid judgment of the United States Court for the Southern District of the Indian Territory.

Thereafter said cause was certified to said Choctaw and Chickasaw Citizenship Court for a trial de novo, and on November 28, 1904, said court, in the case entitled "J. W. Hyden, et al., vs. Choctaw and Chickasaw Nations" (Choctaw-Chickasaw Citizenship Court Case No. 48, Tishomingo Docket), "ordered, adjudged and decreed that the petition of the plaintiffs, J. W. Hyden, Mrs. Mollie Hyden, Cleveland Hyden, Maud Hyden, Mollie Hyden, Sallie Jackson, A. M. Jackson, Nancy Pruitt, or Nancy P. Pruitt, Henry Pruitt, John Henry Pruitt, Evans A. Pruitt, Eula Irine Pruitt, or Eula Irene Pruitt, Maud Smith, Cecil Smith, Oscar Jackson, Willie Jackson, Albert Jackson, Bessie Jackson, D. M. Hyden, Pearl Hyden, Sam Hyden, Garnett Hyden, N. J. Hood, Edward Hood, or Elwood Hood, Willie Mapes, or Willie Mapes. . . . . .be denied, and that they be declared not citizens of the Choctaw Nation, and not entitled to enrollment as such citizens, and not entitled to any rights whatever flowing therefrom".

On January 24, 1905, the Commission to the Five Civilized Tribes entered of record orders dismissing the applications for the enrollment of Mumford M. Smith, Cecil Jackson Smith, Midrie Beryl Jackson, Nancy Thwaites Hyden, and Claud Ray Wilcoxson, for the reason that their parents, through whom they claimed their right to enrollment, had been denied by the Choctaw and Chickasaw Citizenship Court. On February 9, 1905, the application for the enrollment of George Hyden was dismissed for the reason that he failed to appeal to said Choctaw and Chickasaw Citizenship Court.

Under the regulations adopted by the Commissioner to the Five Civilized Tribes January 2, 1906, there were filed by Cruce, Cruce and Bleakmore, attorneys at law, Ardmore, Indian Territory, on April 2, 1906, petitions praying for the enrollment of Henry Pruitt, Nannie Jackson Pruitt, John Pruitt, Earnest A. Pruitt, Eula Irene Pruitt, A. M. Jackson, Sarah L. Jackson, Albert M. Jackson, and William D. Jackson as citizens of the Choctaw Nation, and on April 21, 1906, petitions were filed praying for the enrollment of J. W. Hyden, Mollie Hyden, Cleave Hyden, Maude Hyden, Mollie Hyden, Jr., Thwaites Hyden, D. M. Hyden, Sarah V. Hyden Byars, Pearl M. Hyden Wilcoxson, Samuel M. Hyden, Garnette M. Hyden, Levi Byars, Ray Wilcoxson, Bud Wilcoxson, Nancy J. Hood, Ed Hood, Willie Gilliland, Cecil Smith, Maud Jackson Smith, Mumford M. Smith, Cecil Smith, Jr., Oscar M. Jackson, Edna Byrl Jackson and Bessie Jackson Shi as citizens of the Choctaw Nation.

All of the above petitioners are identical with the applicants for whom application was theretofore made for enrollment as citizens of the Choctaw Nation, with the exception of George Hyden, Levi Byars and Bud Wilcoxson. Levi Byars was born November 15, 1900, and Bud Wilcoxson was born February 25, 1903.

The record in this case shows that the applicants, D. M. Hyden, Nancy J. Hood, Sallie Mackson, and J. W. Hyden, are the children of Samuel Hyden, who was the son of John Hyden and one Elizabeth Brashears, who is alleged to have been a Choctaw by blood, who resided in the State of Mississippi; that Sallie M. Hyden, Pearl M. Wilcoxson, Samuel M. Hyden and Garnett M. Hyden are the children of said D. M. Hyden and Vicey Hyden (deceased), a non-citizen; that Claud Ray Wilcoxson is the son of Pearl M. Wilcoxson and William Wilcoxson, a non-citizen; that the applicant, Edward Hood, is the son of Nancy J. Hood and J. T. Hood (deceased), a non-citizen; that Willie Mapes is the daughter of Lenora Mapes (deceased) who was the daughter of said Nancy J. Hood and J. T. Hood; that Oscar Jackson, Willie Jackson, Albert Jackson, Bessie Jackson, Maud Smith and Nancy Pruitt are the children of the applicants, Sallie Jackson and A. M. Jackson; that John M. Pruitt, Ernest A. Pruitt and Henry Pruitt; that Mumford M. Smith and Cecil Jackson Smith are the children of the applicants, Maud Smith and Cecil Smith; that Midrie Beryl Jackson is the daughter of the applicant, Oscar Jackson, and Georgia Bell Jackson, a non-citizen; and that George Hyden, Cleveland Hyden, Maud Hyden, Mollie Hyden and Nancy Thwaites Hyden are the children of the applicants, J. W. Hyden and Mollie Hyden.

It further appears from the record herein that Henry Pruitt claims his right to enrollment as a citizen by intermarriage of the Choctaw Nation by reason of his marriage under the laws of

the State of Texas, to the applicant, Nancy Pruitt; that Cecil Smith claims his right to enrollment as a citizen by intermarriage of said nation by virtue of his marriage to the applicant, Maud Smith; that A. M. Jackson claims his right to enrollment as a citizen by intermarriage of said nation by reason of his marriage to the applicant, Sallie Jackson; and that Nellie Hyden claims her right to enrollment as a citizen by intermarriage of said nation by reason of her marriage to the applicant, J. W. Hyden.

Upon an examination of the tribal rolls of the Choctaw Nation in the possession of this office it appears that the applicants, Nancy Pruitt, John H. Pruitt, Ernest A. Pruitt, Eula I. Pruitt, Maud Smith, Sallie Jackson, Oscar Jackson, Willie Jackson, Albert Jackson, Bessie Jackson, J. W. Hyden, George Hyden, Cleveland Hyden, Maud Hyden, Nellie Hyden, D. M. Hyden, Sallie V. Hyden, Pearl M. Wilcoxson, Samuel M. Hyden, Garnett M. Hyden, Nancy J. Hood and Willie Mapes, are identified upon the 1896 Choctaw Census Roll, opposite numbers 10618, 10620, 10623, 10624, 7411, 7410, 1412, 7413, 7414, 7415, 6187, 6188, 6191, 6190, 6189, 6192, 6193, 6 194, 6195, 6196, 6172 and 6936, respectively. The applicants, Henry Pruitt, Cecil Smith, A. M. Jackson and Nellie Hyden, are identified upon the 1896 Choctaw Census Roll, opposite numbers 14952, 15084, 14714, and 14675, respectively, enrolled thereon as citizens by intermarriage of the Choctaw Nation. The persons above mentioned were placed on the 1896 Choctaw Census Roll by the Choctaw Revisory Board in January, 1897.

It does not appear from the record herein or from the records in the possession of this office that the applicant, Edward Hood, has ever been enrolled by the Choctaw tribal authorities as a member of the Choctaw tribe, or admitted to Choctaw citizenship by any duly constituted authority.

The record in this case further shows that George Hyden and Sallie V. Hyden died prior to September 25, 1902.

Relative to the question whether or not the applicants herein are possessed of Choctaw blood, there has been submitted the testimony of J. W. Hyden, D. M. Hyden, Edward N. Everidge and Joseph R. Lawrence.

J. W. Hyden, on November 13, 1906, testified that he was fifty-four years of age, and the son of Samuel Hyden, a Choctaw by blood, and Nancy D. Hyden, a white woman; that Samuel Hyden was born in the State of Virginia, afterwards removing to the State of Missouri, and then to the state of Texas; that Samuel Hyden was the son of John Hyden, a white man, and Elizabeth Hyden (nee Brashears), a one-half blood Choctaw Indian; and that said Elizabeth Brashears was the daughter of Turner Brashears.

D. M. Hyden, on said date, also testified that he was fifty years of age, and that he did not know any of his family history other than that he understood that Elizabeth Brashears was his grandmother, and that Turner Brashears was her father.

On January 15, 1907, Edward N. Everidge testified that he was fifty-five years of age and the son of Joel W. Everidge, a Choctaw by blood, who died in 1901, at the age of seventy-three, and Sophia Everidge, also a Choctaw by blood, who was born in about the year 1830; that Joel W. Everidge was the son of Erasmus Everidge, a white man, and Eve Brashears, a one-half blood Choctaw Indian, who died between the years 1870 and 1873; and that said Eve Brashears was the daughter of R. Turner Brashears, a white man. Said

witness further testified that Eve Brashears had two full brothers and two full sisters, whose names were Elizabeth, Lewis, Ben and Isabelle; that he had been acquainted with the principal applicants herein only a few years, and that only information he had relative to the question whether or not the applicants are possessed of Choctaw blood was a statement made to him by his father to the effect that they were related to him, witness' grandmother being a full sister of the grandmother of the principal applicants herein.

Joseph R. Lawrence, on January 30, 1907, testified that he was seventy-three years of age, and was born in the Indian Territory; that he was the son of David Lawrence and Mary L. Lawrence; that Mary L. Lawrence was the daughter of Joseph Fisher and Elizabeth Fisher, the latter being a daughter of Turner Brashears; that Elizabeth Fisher (nee Brashears) was born in Mississippi and died there prior to the witness' birth; that she had four children by her husband, Joseph Fisher, whose names were Silas D., Mary L., Rebecca and Narcissie; that he was personally acquainted with Joseph Fisher, the husband of Elizabeth Fisher, having resided with him in the Indian Territory for a period of eight years, said Joseph Fisher dying when the witness was fourteen years of age; and that at no time had he ever heard that Elizabeth Fisher (nee Brashears) had ever been married to any one other than Joseph Fisher, or that she had ever had any children other than those above mentioned. Said witness further testified that it was his understanding from family history that Turner Brashears had two daughters, one named Elizabeth, who was his grandmother, and one named Eve, who married an Everidge.

I am of the opinion that the evidence establishes that the applicants herein are not descendants of the Elizabeth Brashears who was the daughter of Turner Brashears, and that they are not possessed of Choctaw blood?

I am further of the opinion that the applicants herein who were enrolled upon the 1896 Choctaw Census Roll as citizens by blood of the Choctaw Nation were placed thereon without authority of law; and that their names should be stricken therefrom, under the provisions of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

I am further of the opinion that the applications for the enrollment of Nancy Pruitt, John M. Pruitt, Ernest A. Pruitt, Eula I. Pruitt, Maud Smith, Sallie Jackson, Oscar Jackson, Willie Jackson, Albert Jackson, Bessie Jackson, J. W. Hyden, Cleveland Hyden, Maud Hyden, Millie Hyden, D. M. Hyden, Pearl M. Wilcoxson, Samuel M. Hyden, Garnett M. Hyden, Nancy J. Hood, Edward Hood and Willie Mapes as citizens by blood of the Choctaw Nation, and the petitions herein in so far as they apply to said applicants, should be denied, under the provisions of the Acts of Congress approved June 28, 1898 (30 Stats., 495), and July 1, 1902 (32 Stats., 641), and it is so ordered.

I am further of the opinion that the orders of the Commission to the Five Civilized Tribes of January 24, 1905, and February 9, 1905, dismissing the applications for the enrollment of Mumford M. Smith, Cecil Jackson Smith, Eldrie Beryl Jackson, George Hyden, Nancy Thwaites Hyden and Claud Ray Wilcoxson, as citizens by blood of the Choctaw Nation should be rescinded, and that the applications for the enrollment of all of said applicants, with the exception of George Hyden, and the petitions herein in so far as they apply to said applicants, should be denied, under the provisions of the Acts of Congress approved June 28, 1898 (30 Stats., 495), and July 1, 1902 32 Stats., 641), and it is so ordered.

I am further of the opinion that the applications for the enrollment of Henry Pruitt, Nellie Hyden, Shell Smith and A. M. Jackson as citizens by intermarriage of the Choctaw Nation, and the petitions herein in so far as they apply to said applicants, should be denied, under the provisions of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

I am further of the opinion that the petition for the enrollment of Levi Byars and Bud Wilcoxson as citizens of the Choctaw Nation should be considered as an application for their enrollment as citizens by blood of said nation under the provisions of the Act of Congress approved April 26, 1906 (34 Stats., 137), and that said applications should be denied under the provisions of said act, and it is so ordered.

I am further of the opinion that inasmuch as George Hyden and Sallie V. Hyden died prior to September 25, 1902, their applications for enrollment as citizens by blood of the Choctaw Nation, and the petitions herein in so far as they apply to said applicants, should be dismissed, and it is so ordered.

I am further of the opinion that inasmuch as the application for the enrollment of Martha Wilcoxson as a citizen by blood of the Choctaw Nation was not made within the time limited by Section Two of the Act of Congress approved April 26, 1906 (34 Stats?, 137), I am without authority to receive or consider any application for enrollment as such; that I should decline to receive the same, and it is so ordered.

(signed) TAMS BIXBY,

Commissioner.

Muskogee, Indian Territory,

Feb. 25, 1907.

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[illegible]-1909
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DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS, DC

Enrollment case of
J. W. Hyden et al. WASHINGTON, May 20 1909

The Commissioner
to the Five Civilized Tribes,
Muskogee, Oklahoma.

Sir:

There is transmitted herewith a letter dated May 18, 1909, from Sarah L. Jackson, who claims a right to enrollment as a citizen of the Choctaw Nation. She requests information as to whether hereame is analogous to that of John E. Goldsby (211 U. S. 249). You are requested to furnish a report concerning her case, following the general instructions contained in Department letter of March 15, 1909 (File 8-51).

Very respectfully,

C. F. Hauke

Chief Clerk.

MCMcC-27
1581

D 926-1909

Muskogee, Oklahoma, June 10,1909.

Subject:

Enrollment case of
J. V. Hyden et al.

The Honorable,

The Commissioner of Indian Affairs,

Sir:

Receipt is hereby acknowledged of Indian Office letter of May 27, 1909 (Land 39491-1908. J - M) transmitting, for report, letter of May 18, 1909, from Sarah L. Jackson, who claims a right to enrollment as a citizen of the Cherokee Nation, and desires information as to whether her case is analogous to that of John L. Baldwin (211 U. S. 369).

Report is requested, following the general instructions contained in Department letter of March 13, 1908 (File 5-67).

Reporting in this matter I have the honor to advise that it appears from the records of this office that on September 9, 1896, original application was made to the Commission to the Five Civilized Tribes, in the cases entitled J. V. Hyden et al, versus the Cherokee Nation, 1896 Cherokee Citizenship Case Number 1344, for admission as citizens of the Cherokee Nation of the applicants, Henry Pruitt, Henry Pruitt, John H. Pruitt, Hannah A. Pruitt,

Eula I. Pruitt, Cyril Smith, Maud Smith, A M Jackson, Sallie Jackson, Oscar Jackson, Willis Jackson, Albert Jackson, Bennie Jackson, J. V. Eyden , Millie Eyden, George Eyden, Cleveland Eyden, Maud Eyden, Nellie Eyden, B. M. Eyden, Lilla V. Eyden, Pearl M. Eyden (now Tilestone), Samuel M. Eyden, Garnett M. Eyden, Henry J. Reed, Edward Reed and Willie Hayes; and that on December 8, 1896, said Commission rendered its decision denying this application.

From this decision an appeal was taken to the United States Court for the Southern District of Indian Territory, which court, on December 21, 1896, in the case entitled J. V. Eyden et al. versus the Choctaw Nation, reversed the decision of said Commission and admitted the applicants as citizens of the Choctaw Nation.

Pursuant to this judgment of the United States Court the persons named above made application to the Commission to the Five Civilized Tribes for the enrollment of themselves and their minor children, born since the date of the original application, as citizens of the Choctaw Nation under the provisions of the Act of Congress approved June 28, 1898 (30 Stat.,495).

December 17, 1902, the Choctaw and Chickasaw Citizenship Court, created under the provisions of the Act of Congress approved July 1, 1902 (32 Stat.,641), "not making, annulling, vacating and held for naught" the judgment of the United States Court for the Southern District aforesaid, in the test case, entitled the

Choctaw and Chickasaw Nations or Tribes versus J. E. Riddle et al.

Subsequently this cause was certified to the Choctaw and Chickasaw Citizenship Court for a trial de novo and on November 28, 1904, in the case entitled J. W. Ryden et al. versus the Choctaw and Chickasaw Nations, Case Number 68 on the Tishomingo Docket, said Court entered, adjudged and decreed that the petition of the plaintiffs be denied and that they be declared not citizens of the Choctaw Nation, and not entitled to enrollment as such citizens, and not entitled to any rights whatever flowing therefrom.

January 24, 1906, the Commission to the Five Civilized Tribes entered of record orders dismissing the applications for enrollment of Rumford M. Smith, Cecil Jackson Smith, Edwin Beryl Jackson, Nancy Thwaites Ryden and Gland Ray Wilcoxson, for the reason that their parents, through whom they claimed the right to enrollment, had been denied by the Choctaw and Chickasaw Citizenship Court.

February 9, 1906, the application for the enrollment of George Ryden was dismissed by the Commission for the reason that he failed to take an appeal to the Choctaw and Chickasaw Citizenship Court.

Under the regulations adopted by the Commissioner to the Five Civilized Tribes January 2, 1906, there were filed by Green, Green & Blackmore, attorneys at law, Ardmore, Indian Territory, on April 2, 1906, petitions praying for the enrollment of Henry

Pruitt, Minnie Jackson Pruitt, John Pruitt, Ernest A. Pruitt, Ella Lenny Pruitt, A. N. Jackson, Sarah L. Jackson, Albert M. Jackson, and William M. Jackson, and on April 21, 1906, petitions were filed praying for the enrollment of J. W. Hyden, Willie Hyden, George Hyden, Minnie Hyden, Sallie Hyden Jr., Thaddie Hyden, R. M. Hyden, Ralph V. Hyden Byers, Pearl E. Hyden Wilcoxen, Samuel M. Hyden, Antoinette M. Hyden, Levi Byers, Ray Wilcoxen, Bob Wilcoxen, Nancy J. Reed, Ed Reed, Willie Williams, Cecil Smith, Maud Jackson Smith, Stafford M. Smith, Cecil Smith Jr., Oscar M. Jackson, Miss Myrl Jackson and Bennie Jackson that as citizens of the Cherokee Nation.

The names of Nancy Pruitt, John H. Pruitt, Ernest A. Pruitt, Ella I. Pruitt, Maud Smith, Sallie Jackson, Oscar Jackson, Willie Jackson, Albert Jackson, Bennie Jackson, J. W. Hyden, George Hyden, Cleveland Hyden, Maud Hyden, Sallie Hyden, R. M. Hyden, Sallie V. Hyden, Pearl E. Wilcoxen, Samuel M. Hyden, Antoinette M. Hyden, Nancy J. Reed and Willie Hayes are identified upon the 1896 census Roll of the Cherokee Nation as citizens by blood, and Henry Pruitt, Cecil Smith, A. N. Jackson and Willie Hyden are identified upon the same roll as freedmen by marriage, their names having been placed thereon by the Cherokee Territory Board in January 1897.

February 25, 1907, the Commissioner to the Five Civilized Tribes rendered a decision denying the applications for the enrollment of all the persons included in this case and on the same

I D S

date the record in the case was transmitted to the Secretary of the Interior.

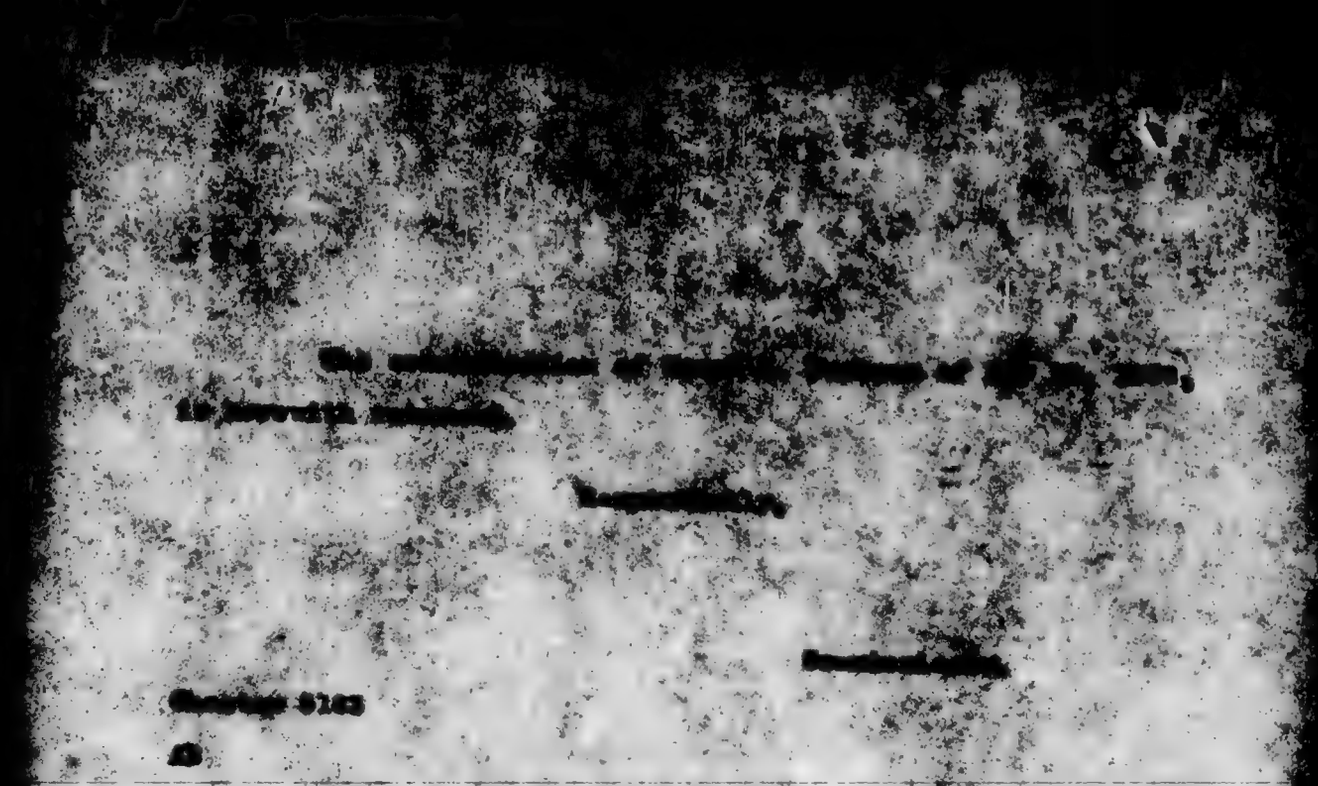
March 2, 1907 (Land 28038-1907) the Indian Office recommended the approval of the Commissioner's decision of February 25, 1907 and on March 4, 1907 (I T D 4398,6188, 6184,6[illegible], 6[illegible], 7112, 7450, 7[illegible], 7454, 7464, 7484, 7486, 7664, 7668, 7[illegible], 7708, 7710, 7722, 7728, 7732, 7740, 7750, 7756, 7818, 7870, 7832 - 1907) the Secretary of the Interior affirmed the decision refusing the applicants in the case of Henry Pruitt.

It appears that the person referred to in the application made to the Commission to the Five Civilized Tribes on September 9, 1896,as Sallie Jackson,and in the petition filed under the regulations adopted by the Commissioner to the Five Civilized Tribes January 2, 1906, as Sarah L. Jackson, is identical with the writer of the communication inclosed with Indian Office letter of May 29, 1908.

The records of this office do not show that any favorable decision was ever rendered in this case by the Department.

Inasmuch as these persons were not upon an approved roll of citizens of the Choctaw Nation no formal allotments were made to them.

In view of the holding of the Department on June 1, 1909, in the Chickasaw case of Joseph C. Moore et al. it is believed that this case is not analogous to that of John R. Goldsby (211 U.S.249)



(Copy)

Land.
[illegible]1908
J R P

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON.

JUL 10 1908

Choctaw enrollment claim
of Sarah L. Jackson.

The Commissioner
to the Five Civilized Tribes,
Muskogee, Oklahoma.

Sir:-

Referring to your report of June 18, 1908, relative to the claim of Sarah L. Jackson to enrollment as a citizen of the Choctaw Nation, you are advised that on June 30, 1908, the Department held that the case of the person mentioned was not analogous to that of John M. Goldsby, and did not come within the principles announced by the Supreme Court of the United States in its decision of November 30, 1908 in that case (211 U. S. 249), and therefore declined to take any action looking to the enrollment of Sarah L. Jackson as a citizen of the Choctaw Nation.

Copies of Office letter of June 29, 1908, and of Department letter of June 30, 1908, are enclosed for your further information. You are requested to notify the parties in interest.

Very respectfully,

(Signed) John Francis Jr
Acting Chief Clerk.

WCS-13
3095

(Copy) 1

2-21398

Land
46061-1909
J B B

Enrollment cases
of Henry Pruitt, et al. JUN 22 1909

The Honorable

The Secretary of the Interior.

Sir:

There is transmitted herewith a report from the Commissioner to the Five Civilized Tribes, dated June 18, 1909, relative to the claim of Sarah L. Jackson to enrollment as a citizen of the Choctaw Nation. The person named was one of the applicants in the case of Henry Pruitt, et al.

It does not appear that the Department ever rendered any decision in favor of the applicants therein. The Office is of the opinion that the case is not analogous to that of John R. Goldsby, and does not come within the principles announced by the Supreme Court of the United States in that case (211 U. S. 249).

The Office therefore recommends that no action be taken by the Department looking to the enrollment of Sarah L. Jackson, or any of the other applicants in the case of Henry Pruitt, et al.

The records in the case is inclosed for your further information.

Very respectfully,

EHS-JH
2540

Approved: (Signed) R. C. Valentine
Commissioner.

First Assistant Secretary.

(COPY)

LEB. J. V. K.

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

D.77956 JUNE 30 1909

Commissioner of Indian Affairs.

Sir:

Receipt is acknowledged of your letter of June 29, 1909, recommending that no action be taken looking to the enrollment of Sarah L. Jackson or any of the other applicants in the case of Henry Pruitt et al. as citizens of the Choctaw Nation.

I concur in your recommendation in so far as it relates to Sarah L. Jackson and the members of her immediate family, but deem it inadvisable to express any opinion as to the right to enrollment of any other person, inasmuch as the claim asserted by Mrs. Jackson in her letter of May 15, 1909, upon which present action is based, does not include all of the parties to the Pruitt case.

Very respectfully,

(Signed) Frank Pierce

First Assistant Secretary.

7-5185

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Mumford M. Smith and Cecil Jackson Smith as citizens by blood of the Choctaw Nation.

The applicants, Mumford M. Smith and Cecil Jackson Smith, claim the right to enrollment as citizens by blood of the Choctaw Nation through their mother Maud Smith.

The right of the applicants' mother, Maud Smith, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, of November 28, 1904, in case No. 48 upon the Tishomingo docket of said court, it is hereby ordered that the application of Mumford M. Smith and Cecil Jackson Smith for enrollment as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Tams Bixby,
Chairman.

Muskogee, Indian Territory,
Jan. 24, 1905.

Choctaw 5185.

COPY.

Muskogee, Indian Territory, January 24, 1905.

Mrs. Smith,

Mcdee, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated January 24, 1905, dismissing the application for the enrollment of your children, Mumford M. Smith and Cecil Jackson Smith, as citizens by blood of the Choctaw Nation.

Respectfully,

[illegible]

Tams Bixby

Chairman.

Registered.

Inel. 7-5185.

Choctaw 3180.

COPY.

Muskogee, Indian Territory, January 24, 1905.

Joseph A. Edwards,

McAlester, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated January 24, 1905, dismissing the application for the enrollment of Mumford M. Smith and Cecil Jackson Smith as citizens by blood of the Choctaw Nation.

Respectfully,

[redacted]

Tams Bixby
Chairman.

Registered.

Incl. 7-5185.

Choctaw 5185.

COPY.

Muskogee, Indian Territory, January 24, 1905.

Mansfield, McMurray & Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission dated January 24, 1905, dismissing the application for the enrollment of Mumford M. Smith and Cecil Jackson Smith as citizens by blood of the Choctaw Nation.

Respectfully,

(SIGNED)
Tams Bixby
Chairman.

Incl. 7-5185.

Muskogee, Indian Territory, November 14, 1900.

Joseph A. [illegible],
McGee, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of the 12th instant enclosing the application for the enrollment as a citizen of the Choctaw Nation of Cecil Jackson Smith, the infant son of Cecil and Maud Smith, born September 17th, 1900, and the same being in proper form has been duly filed with the records of this Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Acting Chairman.

7-5185

7-5185

Muskogee, Indian Territory, January 8, 1907.

Cruce, Cruce, & Blackmore,

Attorneys at Law,

Ardmore, Indian Territory.

Gentlemen:

In the matter of the application for the enrollment of Henry Pruitt, et al., as citizens of the Choctaw Nation, you are hereby notified that in case you desire to introduce further testimony in the matter of said application, it will be necessary that you do so prior to January 15, 1907, inasmuch as the Act of Congress approved April 26, 1906 (34 Stats., 137), provides that the Secretary of the Interior has no authority to approve the enrollment of any person subsequent to March 4, 1907.

In case no appearance is made within the time specified above, a decision will be rendered in said case on the record as now made up.

Respectfully,

Commissioner.

Cloc 5186 James H. Connely

#4-5 Dismissed Pay-as

2815

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the application for enrollment as citizens by blood of the Choctaw Nation of:

VIRGINIA C. CONNELY, ET AL., 7-5186.

Choctaw Court Card C. 231

IN THE matter of the application of James H. Connely and others.

James H. Connely says:

I was admitted as "James Conly"

Alberta Evans was admitted as "Albert Evans"

Virginia C. was born May 15th 1898.

I have been living here since January 1898. I came from New Mexico. I came in February and have been residing here ever since.

Ardmore, Sept. 24 1898.

James H. Connely
Alberta E. Connely
William W. Connely
Virginia C. Connely

enrolled.

20

IN RE

Application for Enrollment of

INFANT CHILD

Laurence N. Connelly

as a citizen of the

[redacted] Nation.

Approved, JUN -8 1900 190

Commissioner.

FILED
JUN 8 1900
COMMISSION TO FIVE TRIBES.

510

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

Laurence H Connely, born on the 6 day of Febrary, 1900.
(Here insert name of child.)

Name of Father: James H Connely, a citizen of the Choctaw Nation.

Name of Mother: Alberte Connely, a citizen of the Choctaw Nation.

Postoffice: Coal Gate I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY.
Central District.

I, Alberte Connely, on oath state that I am 23 years of age and a citizen, by Blood, of the Choctaw Nation; that I am the lawful wife of James H Connely, who is a citizen, by Marriage, of the Choctaw Nation; that a male (male or female) child was born to me on the 6 day of Febrary, 1900; that said child has been named Laurence H Connely, and is now living.

WITNESSES TO MARK:

Alberte. Connely.

(Must be Two Witnesses.)

Subscribed and sworn to before me this 6 day of June 1900

NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY.
Central District.

I, L A Conner, a Physician, on oath state that I attended on Mrs. A Connely, wife of James H Connely, on the 6 day of Febrary, 1900: that there was born to her on said date a male (male or female) child: that said child is now living and is said to have been named Laurence H Connely.

WITNESSES TO MARK:

L A Conner M.D

(Must be Two Witnesses.)

Subscribed and sworn to before me this 6 day of June 1900

NOTARY PUBLIC

7-5186.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Virginia C. Connely and Laurence H. Connely as citizens by blood of the Choctaw Nation.

-oOo-

The applicants, Virginia C. Connely and Laurence H. Connely, claim the right to enrollment as citizens by blood of the Choctaw Nation through their mother, Alberta E. Connely.

The right of the applicants' mother, Alberta E. Connely (as Albert Evans Conley), to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, of November 28, 1904, in case No. 48 upon the Tishomingo docket of said court, it is hereby ordered that the application of Virginia C. Connely and Laurence H. Connely for enrollment as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Muskogee, Indian Territory,

JAN 2 - 1905

Choctaw 5186.

COPY.

Muskogee, Indian Territory, January 24, 1905.

Alberta E. Connely,

Coalgate, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated January 24, 1905, dismissing the application for the enrollment of your children, Virginia C. Connely and Laurence H. Connely as citizens by blood of the Choctaw Nation.

Respectfully,

[redacted] Tams Bixby

Chairman.

Registered.

Incl. 7-5186.

Choctaw 5186.

COPY,

Muskogee, Indian Territory, January 24, 1905.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission dated January 24, 1905, dismissing the application for the enrollment of Virginia C. Connely and Laurence H. Connely as citizens by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

Tams Bixby

Chairman.

Incl. 7-5186.

An Act Admitting Whit W.Hyden and his Children to citizenship.
Sec. 1

Be enacted by the General Council of the Choctaw Nation assembled:

That Whit W. Hyden and his children Frank Hyden aged 25 Maud Hyden aged 23 Leonard Hyden aged 16 Ida Hyden aged 14 Whit Hyden 12 Ella Hyden aged 10 Cleveland Hyden aged 7 Bengeman Hyden aged 5 and Ruth Hyden aged 3 be admitted to all the rights and privileges of citizens of the Choctaw Nation.

And this act take effect and be in force from and after its passage.

Approved October 31st,, 1895.

Jeff Gardner,

P. C. C. N.

This is to certify that the foregoing is a true and correct from the original Act of the General Council of the Choctaw Nation, now on file in my office, at Tushka Humma, the Capitol of the Choctaw Nation.

Witness my hand and the Great Seal of the Choctaw Nation, this the 1st,, day of November, A. D. 1895.

J. B. Jackson

National Secretary

Choctaw Nation.

THE GREAT SEAL
OF THE
CHOCTAW NATION.

Endorsed: "Filed in my office this the 25th day of Jan'y. 1896. L. C. BURRIS, Nat'l. Sec'y., C. N."

Muskogee, Indian Territory, July 2, 1908.

The Honorable,

The Secretary of the Interior.

Sir:

On June 30, 1908 (I.T.D. 5597-1908) the Secretary of the Interior referred to this office for report and recommendation communication from Ledbetter & Bledsoe, Attorneys at Law, Ardmore, Indian Territory, of June 24, 1908, relative to the right to enrollment as citizens by blood of the Choctaw Nation of Martha, Georgie and Ovvie Ryden.

Ledbetter & Bledsoe allege in their letter that Martha Ryden, Georgie Ryden and Ovvie Ryden (as Emma Ryden) were duly enrolled members of the Choctaw tribe of Indians in 1896 at the time of the passage of the act conferring jurisdiction upon the Commission to the Five Civilized Tribes to receive applications of persons whose citizenship was disputed or denied by the tribal authorities; that through an error the persons above named became involved in citizenship proceedings with another branch of the family and as soon as they learned that they were in the proceedings they asked the Citizenship Court to dismiss them, but said court declined to do so and rendered judgment against them.

They insist that neither the Commission to the Five Civilized Tribes, the United States Court for the Southern District of Indian Territory, nor the Choctaw and Chickasaw Citizenship Court had any jurisdiction to hear or determine their applications, as they do not belong to the class over which the Commission to the Five Civilized Tribes acquired jurisdiction under the act of Congress approved June 10, 1896 (29 Stat., 321).

With the communication of Ledbetter & Bledsoe is inclosed a certificate of the Chairman of the Commission to the Five Civilized Tribes of June 23, 1905, to the effect that Martha Hyden and Georgie Hyden are found on the 1896 census roll of the Choctaw Nation, Chickasaw District, as intermarried citizens, opposite Nos. 14665 and 14666, respectively, and that the name of Annie Hyden, which they allege should have been Evvie Hyden, appears upon the 1896 census roll as a citizen by blood of said Nation opposite No. 6165 thereon.

Reporting in this matter I have the honor to advise that it appears from the records of this office that Georgie Hyden, wife of Frank S. Hyden, and her child Eva Marguerite Hyden, and Martha Hyden, wife of Whit W. Hyden, were applicants to the Commission to the Five Civilized Tribes in 1896 for citizenship in the Choctaw Nation under the act of Con-

grees of June 10, 1896, which application was denied by said Commission in Choctaw 1896 citizenship case Number 1344; that on appeal the United States Court for the Southern District of Indian Territory reversed the decision of the Commission to the Five Civilized Tribes and admitted the above named persons to citizenship in the Choctaw Nation. Appeal was subsequently taken in this case to the Choctaw and Chickasaw Citizenship Court which, on November 28, 1904, denied the citizenship in the Choctaw Nation of Georgie or Georgia Hyden, Eva Margaret Hyden and Martha Hyden in case Number 48 on the Tishomingo docket.

I have further to report that Whit W. Hyden and his family were admitted to citizenship in the Choctaw Nation by an act of the Choctaw National Council of October 31, 1898, as follows:

"An Act Admitting Whit W. Hyden and his Children to Citizenship.

Sec. 1 Be enacted by the General Council of the Choctaw Nation assembled:

That Whit W. Hyden and his children Frank Hyden aged 26 Maud Hyden aged 23 Leonard Hyden aged 16 Ida Hyden aged 14 Whit Hyden 12 Lula Hyden aged 10 Cleveland Hyden aged 7 Bengamen Hyden aged 5 and Ruth Hyden aged 3 be admitted to all the rights and privileges of citizens of the Choctaw Nation.

And this act take effect and be in force from and after its passage.

Approved October 31st, 1898.

Jeff Gardner

P.C.C.N."

Martha Hyden, wife of Whit W. Hyden, and Georgia Hyden, wife of Frank Hyden, were not admitted by said act although they were married prior to its passage. If it shall be held by the Department that the admission to citizenship in the Choctaw Nation of the husband confers citizenship upon the wife, although not named in the act, it would appear that by virtue of the act of the Choctaw Council of October 31, 1895, above referred to, and the enrollment upon the 1896 census roll of the Choctaw Nation of Martha and Georgia Hyden, this office would now have jurisdiction to determine their rights to citizenship in accordance with the opinions of the Assistant Attorney General of March 24, 1905, in the cases of Henry A. Cummins and R. J. Vaughan, et al.

Eva Marguerite Hyden, being a child of Frank Hyden, born since the date of his admission, and her name appearing on the 1896 census roll of the Choctaw Nation, would clearly come within the class included in the opinions of the Assistant Attorney General of March 24, 1905, above referred to.

The communication of Ledbetter & Bledsoe of June 24, 1905, and the certificate accompanying the same are herewith returned.

Respectfully,

Choctaw 5182.
Through the Commissioner
of Indian Affairs.

Commissioner.

D.C. 46527 LLB

DEPARTMENT OF THE INTERIOR.
WASHINGTON.

I.T.D. 9748-1905. October 5, 1905.
LRS

Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:

July 21, 1905, you reported relative to the right to enrollment of Martha Hyden and Georgie Hyden as citizens by intermarriage and Evvie Hyden as a citizen by blood of the Choctaw Nation.

You reported that the names of Martha Hyden and Georgie Hyden are found on the 1896 Census Roll of the Choctaw Nation, Chickasaw District, as intermarried citizens, opposite Nos. 14665 and 14666, respectively, and that the name of Emmie Hyden, which applicants claim should have been Evvie Hyden, appears upon the 1896 Census Roll as a citizen by blood of said Nation, opposite No. 6165 thereon.

By act of the Choctaw National Council approved October 31, 1900, Whit W. Hyden and his son, Frank Hyden, along with other named children, were adopted and admitted to all the rights and privileges of citizens of the Choctaw Nation. The name of Martha Hyden, wife of Whit W. Hyden, and Georgie Hyden, wife of Frank Hyden, and Emmie

Hyden are omitted from said act.

Under the act of June 10, 1896, Martha Hyden, wife of said Whit W. Hyden, and Georgie Hyden, wife of said Frank Hyden, and her child, Eva Marguerite Hyden, applied to the Commission under the act of June 10, 1896, for admission to citizenship in the Choctaw Nation and were denied. On appeal to the United States Court for the Southern District of Indian Territory, the decision of the Commission was reversed and applicants above named were admitted to citizenship. Appeal therefrom was taken to the Choctaw and Chickasaw Citizenship Court, which court, on November 28, 1904, in the case of J. W. Hyden et al. vs. Choctaw and Chickasaw nations, No. 48 on the Tishominro docket thereof, decided adversely to the applicants, specially naming therein the claim of Whit W. Hyden as fraudulent. Applicants claim that their names were involved in said appeal without their consent, and they moved the court to dismiss the appeal as to them, which motion was denied and judgment was rendered against them! The names of applicants appearing on the 1896 Census Roll of the Choctaw Nation, coupled with the fact of their adoption on October 31, 1896, as citizens of the Choctaw Nation by special act of the General Council of that date, the Choctaw and Chickasaw Citizenship Court was without jurisdiction to pass upon

their case, and applicants are not precluded by the decision of said court from a hearing of their claims upon their merits.

You ask whether the adoption of the husband to citizenship in the Cheetaw Nation confers citizenship upon the wife, although not named in the act, she having married her husband prior to his adoption as a citizen. Van Dyne on Citizenship of the United States, page 122, says: "Whenever a woman, who under previous acts might be naturalized, is in a state of marriage to a citizen, whether his citizenship existed at the passage of the act or subsequently, or before or after marriage, she becomes, by that fact, a citizen also. His citizenship, whenever it exists, confers under the act citizenship upon her," and quoting from Kane vs. McCarthy, 63 N. C., 299, he also stated on page 129 that the court said: "It can in no possible view make any difference whether the marriage ceremony is performed first and the n the husband becomes a citizen, or whether he becomes a citizen and the marriage afterwards takes place. Whenever the two events occur and come together "she is a woman married to a citizen." See also 14 Ops. Atty. Gen., 406.

The same view was entertained by the Department in the enrollment case of Elizabeth C. Mulkey as an intermarried

citizen of the Cherokee Nation, decided June 5, 1902, (I.T.D. 3416).

You are requested to notify applicants that you will grant them a hearing on the merits of their claim. You are further requested to inquire into the fact whether the passage of the act of the General Council of the Choctaw Nation approved October 31, 1895, admitting Whit W. Hyden et al. was procured by fraud, as declared by the Choctaw and Chickasaw Citizenship Court in the case of J. W. Hyden et al. No. 48 on the Tishomingo docket.

Respectfully,

Thos. Ryan,

Acting Secretary.

Through the
Commissioner of Indian Affairs.

GR

DEPARTMENT OF THE INTERIOR,

D. C. 46577-1905. WASHINGTON.

I.T.D. 9748-1905. October 5, 1905.

Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:

July 21, 1905 , you reported relative to the right to enrollment of Martha Hyden and Georgie Hyden as citizens by intermarriage, and Evvie Hyden as a citizen by blood of the Choctaw Nation.

You reported that the names of Martha Hyden and Georgie Hyden are found on the 1896 Census Roll of the Choctaw Nation, Chickasaw District, as intermarried citizens, opposite Nos. 14665 and 14666, respectively, and that the name of Emmie Hyden, which applicants claim should have been Evvie Hyden, appears upon the 1896 Census Roll as a citizen by blood of said Nation, opposite No. 6165 thereon.

By act of the Choctaw National Council approved October 31, 1905, Whit W. Hyden and his son, Frank Hyden, along with other named children, were adopted and admitted to all the rights and priviliges of citizens of the Choctaw Nation. The name of Martha Hyden, wife of Whit W. Hyden, and Georgie Hyden, wife of Frank Hyden, and Emmie Hyden are omitted from said act.

Under the act of June 10, 1896, Martha Hyden, wife of

said Whit W. Hyden, and Georgie Hyden, wife of said Frank Hyden, and her child, Eva Marguerite Hyden, applied to the Commission under the act of June 10, 1896, for admission to citizenship in the Choctaw Nation and were denied. On appeal to the United States Court for the Southern District of Indian Territory, the decision of the Commission was reversed and applicants above named were admitted to citizenship. Appeal therefrom was taken to the Choctaw and Chickasaw Citizenship Court, which court, on November 28, 1904, in the case of J. W. Hyden et al. vs. Choctaw and Chickasaw nations, No. 48 on the Tishomingo docket thereof, decided adversely to the applicants, specially naming therein the claim of Whit W. Hyden as fraudulent. Applicants claim that their names were involved in said appeal without their consent and they moved the court to dismiss the appeal as to them, which motion was denied and judgment was rendered against them. The names of applicants appearing on the 1896 Census Roll of the Choctaw Nation, coupled with the fact of their adoption on October 31, 1895, as citizens of the Choctaw Nation by special act of the General Council of that date, the Choctaw and Chickasaw Citizenship Court was without jurisdiction to pass upon their case, and applicants are not precluded by the decision of said court from a hearing of their claims upon their merits.

You ask whether the adoption of the husband to citizenship in the Choctaw Nation confers citizenship upon the wife,

although not named in the act, she having married her husband prior to hisadoption as a citizen. Van Dyne on Citizenship of the United States, page 122, says: "Whenever a woman, who under previous acts might be naturalized, is in a state of marriage to a citizen whether his citizenship existed at the passage of the act or subsequently, or before or after marriage, she becomes, by that fact, a citizen also. His citizenship, whenever it existes, confers under the act citizenship upon her," and quoting from Kane vs. McCarty, 63 N.C., 299, he also stated on page 129 that the court said: "It can in no possible view make any difference whether the marriage ceremony is performed first and then the husband becomes a citizen, or whether he becomes a citizen and the marriage afterwards takes place. Whenever the two events occur and come together "she is a woman married to a citizen.'" See also 14 Ops. Atty. Gen., 406.

The same view was entertained by the Department in the enrollment case of Elizabeth C. Mulkey as an intermarried citizen of the Cherokee Nation, decided June 5, 1902 (I.T.D. 3416.)

You are requested to notify applicants that you will grant them a hearing on the merits of their claim. You are further requested to inquire into the fact whether the passage of the act of the General Council of the Choctaw Nation approved October 31, 1895, admitting Whit W. Hyden et al. was procured by fraud, as declared by the Choctaw and Chickasaw Citizenship Court

in the case of J. W. Rydam et al. No. 48 on the Tishomingo Count.

Respectfully,

Thos. Ryan,

Acting Secretary.

Through the Commissioner
of Indian Affairs.

Choc 5187 Henry Pruitt

See C132
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C15

DEPARTMENT OF THE INTERIOR
COMMISSIONER TO THE FIVE CIVILIZED TRIBES
MUSKOGEE, INDIAN TERRITORY,
JULY 31, 1906.

IN THE MATTER of the application for the enrollment of Henry Pruitt, et al., as citizens of the Choctaw Nation.

IN THE MATTER of the application for the enrollment of A. N. Jackson, et al., as citizens of the Choctaw Nation.

IN THE MATTER of the application for the enrollment of J. W. Hyden, et al., as citizens of the Choctaw Nation.

IN THE MATTER of the application for the enrollment of Oscar B. Jackson, et al., as citizens of the Choctaw Nation.

IN THE MATTER of the application for the enrollment of Cecil Smith, et al., as citizens of the Choctaw Nation.

UNDER THE REGULATIONS adopted by the Commissioner to the Five Civilized Tribes January 8, 1906 there was filed on April 2, 1906 by Cruce, Cruce & Bleakmore, attorneys for the petitioners, petitions praying for the enrollment of,

Henry Pruitt,
Nannie Jackson Pruitt,
John Pruitt,
Ernest A. Pruitt,
Irene Pruitt,
A. N. Jackson,
Sarah L. Jackson,
Albert M. Jackson,
William D. Jackson.

APRIL 21, 1906 there was filed under said regulations, by Cruce, Cruce & Bleakmore petitions praying for the enrollment of the following persons as citizens of the Choctaw Nation:

J. W. Hyden,
Mollie Hyden,
Cleeve Hyden,
Maud Hyden,
Mollie Hyden, Jr.
Thwaites Hyden,
D. M. Hyden,
Sarah V. Hyden Byars,
Pearl M. Hyden Wilcoxen,
Samuel M. Hyden,
Garnette M. Hyden,
Levi Byars,
Roy Wilcoxen,
Bud Wilcoxen,
Nancy J. Hood,
Ed Hood,
Willie Gilliland,
Oscar E. Jackson,
Edna Byrl Jackson,
Bessie Shy,
Cecil Smith,
Maud Jackson Smith
Mumford M. Smith,
Cecil Smith, Jr.

PETITIONERS base their claim to the right to enrollment as citizens of the Choctaw Nation upon the allegation that they were in the year 1896 enrolled by the lawfully constituted authorities of the Choctaw Nation as citizens of said Nation.

JULY 9, 1906, Oscar E. Jackson, McGee, Indian Territory, Cruce, Cruce & Bleakmore, attorneys for the petitioners, Ardmore, Indian Territory, and Mansfield, McMurray & Cornish, attorneys for the Choctaw and Chickasaw Nations, South McAlester, Indian Territory, were notified that the Commissioner would, at his office at Muskogee, Indian Territory, on Monday July 30, 1906 at 10:00 o'clock a. m., hear such testimony and receive such other evidence as might be submitted in support of the petition filed with this office for the enrollment of Oscar E. Jackson, et al., as citizens of the Choctaw Nation.

ON THE SAME DATE, Henry Pruitt, Ardmore, Indian Territory; J. W. Hyden, McGee, Indian Territory; D. M. Hyden, McGee, Indian Territory; Nancy Jane Hood, McGee, Indian Territory; Cecil Smith, McGee, Indian Territory; A. M. Jackson, Millcreek, Indian Territory; Cruce, Cruce & Bleakmore, attorneys for the petitioners, Ardmore, Indian Territory, and Mansfield, McMurray & Cornish, attorneys for the Choctaw & Chickasaw Nations, South McAlester, Indian Territory, were respectively advised that the Commissioner would, at his office at Muskogee, Indian Territory on Tuesday July 31, 1906 at 9:00 o'clock a. m., hear such testimony and receive such other evidence as might be submitted in support of the petitions filed with this office for the enrollment of J. W. Hyden, et al., Henry Pruitt, A. M. Jackson, et al., and Cecil Smith, et al., as citizens of the Choctaw Nation.

NOW on this the 31st day of July, 1906 at 9:00 o'clock a. m., this cause was called for hearing and the following appearances were entered and proceedings had:

APPEARANCES: A. M. Jackson, Oscar M. Jackson, D. M. Ryden, } Petitioners.

A. C. Cruce, of Cruce, Cruce & Bleakmore, Attorneys for the petitioners.

C. Rosenwinkel of Mansfield, McMurray & Cornish, Attorneys for the Choctaw and Chickasaw Nations.

MR. ROSENWINKEL: The attorneys for the Choctaw and Chickasaw Nations object to any proceedings being had in this cause, for the reason that the petitioners were denied citizenship in the Choctaw Nation by decree of the Choctaw and Chickasaw Citizenship Court.

We object for the further reason that the motion herein to reopen and reconsider this case was not filed within the time prescribed by the Act of Congress approved April 26, 1906.

- - -

A. M. JACKSON, being duly sworn testified as follows:

BY THE COMMISSIONER:

Q What is your name? A A. M. Jackson.
Q Age and Postoffice address? A My address is McGee, age about fifty-eight.
Q Are you married? A Yes sir.
Q What is the name of your wife? A Sarah L. Jackson (Ryden).
Q Have you any children? A Yes sir.
Q What are their names and ages?
A My oldest child is Nannie Pruitt, age thirty-four, I think as near as I can recollect. The next is Maud Smith.
Q How old is Maud? A I think she is thirty-two, I believe. (Refers to paper) Twenty-nine, about.
Q The next one? A Next is Oscar M. Jackson, age twenty-six, about that. The next one is William D. Jackson, twenty-three.
Q Next one? A Albert M. Jackson, about twenty-one. Bessie Shy, age about eighteen.
Q Are the children whose names you have mentioned, all living?
A Yes sir.
Q All living in the Choctaw-Chickasaw Country?
A All but one. Wesley Smith, moved west on account of his health
Q Did you have a child by the name of Willie?
A Yes, I called his name, W. D. (William D.)
Q Did you have a child by the name of Marie Ryri? A Yes sir, that's my son's child.

Q Who is the husband of Nancy Pruitt? A Henry Pruitt.
Q Have they any children? A Yes sir, they have three.
Q What are their names and ages?
A John Pruitt, age I think about eighteen, as near as I can recollect; and Ernest Pruitt, about sixteen; Irene Pruitt, I think is about fourteen.
Q Who is the husband of Maud Smith? A Wesley Smith.
Q How old is Wesley Smith? A I can't give his age, I think he is about thirty-two.
Q Have they any children? A Yes sir, they have two.
Q What are their names and ages?
A Mumford Smith, age about eight, and Wesley Smith, Jr., five.
Q Is Oscar M. Jackson married? A Yes sir.
Q What is the name of his wife? A Her name is Belle; was Richard.
Q Have they any children? A Yes sir. This Edrie Ryrl was her child. They have another child, but I don't think it is named. It is about a year old.
Q Is Bessie Shy a married woman? A Yes sir.
Q What is the name of her husband? A Dr. A. H. Shy.
Q Have they any children? A No sir, have none.
Q It is alleged in the petition that you and your children were enrolled by the revisory board of the Choctaw Nation on the 1896 Choctaw Census Roll?
A Yes, I think you will find it on the roll.
Q Have you any personal knowledge as to your name having been placed on that roll?
A No sir, not exactly. I believe the roll will show it.
Q When did you make application to have your name placed on the roll, on the 1896 Census Roll?
A Well, I have forgotten the date. About the time that thing was created though, or soon after that.
Q What is your first name? A Adolphus.

THE COMMISSIONER: The name of A. M. Jackson appears on the 1896 Choctaw Census Roll opposite No. 14714 as an intermarried citizen. On the 1896 Choctaw Census Roll appears the following names:

Sallie Jackson, opposite No. 7410,
Maud " " " 7411,
Oscar " " " 7412,
Willie " " " 7413,
Albert " " " 7414,
Bessie Jackson " " 7415.

Q When were Maud Pruitt and Henry Pruitt married?
A I believe I have the date? A (Refers to paper) It was Nannie Pruitt. January 14, 1872. She isthirty-four.
Q You say she is thirty-four years old at present? A Yes sir.
Q Then she would have been born in 1872?
A Yes sir, that is what she was. Well, I have got it written that way. It is wrong then. I guess I put it down wrong. Yes, she was born in 1872.

THE COMMISSIONER: On the 1896 Choctaw Census Roll appears the following names:
Nannie Pruitt, opposite No. 10618,
John Pruitt " " 10620,
opposite said name is written in parenthesis "John H. Pruitt".

A Nannie Pruitt was married about 1888. I got the birth in the place of the marriage.

THE COMMISSIONER: Opposite No. 10623 on said roll appears the name of John Pruitt. Opposite said name is written the name of Ernest A. Pruitt.
The name of Irnett Unie Pruitt appears on said roll opposite No. 10624. Opposite said name is written the name Ula Pruitt.
The name of Henry Pruitt appears on said roll opposite No. 14952 as an intermarried citizen.
The name of Cesel Smith appears on said roll opposite No. 15084 as an intermarried citizen. Opposite said name is written the name "Cecil Smith".

BY MR. CRUCE:

Q Henry Pruitt married your daughter? A Yes sir.
Q He has a son named John? A Yes sir.
Q Has John Pruitt any middle name?
A I don't know, I believe that he has, though. (Refers to paper) - John H. Pruitt.
Q John H.? A Yes sir, John Henry.
Q Henry Pruitt has a daughter named Irene? A Yes sir.
Q Has she any other name? A Ula Irene.
Q You said something awhile ago about Wesley Smith having gone west for his health, when was that? A Last summer.
Q Lived in the Territory until that time? A Yes sir.
Q You don't remember Oscar Jackson's youngest child?
A I don't think it is yet named.
Q How old is it? A I think it was born in February.

CROSS EXAMINATION

BY MR. ROSENWINKEL:

Q Mr. Jackson - A Yes sir.
Q When was your name placed on the 1896 roll, do you know?
A No sir, I can't say positively.
Q Did you appear before the Census Commissioner that placed it there? A I have been here about twenty-four years.

Q You don't understand my question? Did you go before that board? A No sir.
Q Who had your name placed on there? A Whit Hyden and Dave Hyden, I think.
Q Do you know when they appeared? A I knew the time, but I can't tell the date.
Q What time of the year was it? A I wouldn't be positive about that.
Q You applied to the Dawes Commission in 1896, didn't you?
A Yes sir.
Q You don't know when you did that?
A No sir, I don't recollect when it was done.
Q Who did you apply to first, the Dawes Commission or the Census Board? A Census Board.
Q Applied to the Census Board first? A Yes sir.
Q The Census Board wasn't created until - -
A Possibly the Dawes Commission.
Q I am just trying to get you straight on that? A Yes sir.
Q The Act under which the Census Board was created wasn't passed until the 18th of September, 1896?
A The first thing was the Dawes Commission.
Q The first thing was the Dawes Commission? A Yes sir, I think it was.
Q You never made any attempt to get your name on the tribal rolls until after you applied to the Dawes Commission?
A I am not right positive about that. I don't think I did.
Q It is very important you should fix this time as to what you did. You certainly know whether you went before the Dawes Commission or the Indian authorities first?
A I am not right positive about it

THE COMMISSIONER: The records of this office show that application was made to the Commission to the Five Civilized Tribes on September 9, 1896 for the admission of J. W. Hyden, et al., as citizens of the Choctaw Nation, which application included the names of the following persons:

J W Hyden,
Mrs. Nellie Hyden,
George Hyden,
Cleveland Hyden,
Maud Hyden,
Nellie Hyden,
Mrs. Sallie Jackson,
A M Jackson,
Mrs. Nancy Pruitt,
Henry Pruitt,
John H. Pruitt
Evans A. Pruitt,
Eula Irene Pruitt,
Maud Smith,
Cecil Smith,
Omer Jackson,
Willie Jackson,
Albert Jackson,

Bessie Jackson,
D M Hyden,
Mrs. Kattie Hyden,
Hallie Hyden,
Pearl Hyden,
Sam Hyden,
Garrett Hyden,
Mrs. W. J. Hood,
Edward Hood,
Willie Hayes,
Albert Evans Conley,
James Conley,
William Wesley Conley,
Eva Margaret Hyden,
Martha Hyden,
Georgia Hyden,
Nancy D. Hyden,

BY MR. ROSENWINKEL:

Q Prior to 1896 you were never recognized by the tribal authorities of the Choctaw Nation by having your name placed on the tribal rolls as such, or by being admitted by an act of the tribal council, were you? A No sir.

BY THE COMMISSIONER:

Q When did you first learn your name was placed on the 1896 roll? A Soon after it was done, just a few days after it was done. I have the list here of our names.
Q Just a few days after it was placed on there? Haven't you any definite idea as to what time of the year it was?
A No sir, I can't say. It's been a good while ago, and I didn't charge my memory with it.
Q You don't know just when that was placed on the roll? A No.

BY MR. CROCE:

Q Whit Hyden looked after that for you, didn't he? A Yes sir.

(Witness dismissed).

WHIT W. HYDEN, being duly sworn testified as follows:

BY THE COMMISSIONER:

Q What is your name? A Whit W. Hyden.
Q What is your age and postoffice address? A My age is sixty-one, Postoffice address, McGee, Indian Territory.
Q Are you any relation to J W Hyden? A Brother.
Q Is J W Hyden married? A Yes sir.
Q What is the name of his wife? A Mollie.
Q How old is J W Hyden? A He must be--I would have to guess at that--He must be fifty-four or five.
Q What is the age of his wife? A I guess she is about fifty years old---just guess work.
Q Have they any children? A Yes sir.
Q Can you give their names and ages?
A George is the oldest one, he is dead. Then there isCleve, and Mollie, Maud, I don't know the baby's name.
Q When did George die? A Has been dead two or three years, I don't remember the exact date. He died away out on the Rock Island road, and they hauled him in there and buried him at McGee.
Q Are the other children, whose names you mentioned, living?
A Yes sir.
Q How old is Clevelmd,? A About twenty.
Q How old is Maud? A About sixteen or seventeen.
Q How old is Mollie? A About fourteen. The other one is, I don't guess She is more than seven or eight years old, the youngest one.
Q Do you know her name? A No I do not. I don't know her name. My brother and me don't get along. We live about ten miles apart, and I just know this, and that is about all.

THE COMMISSIONER: The names of
J W Hyden,
Maud Hyden,
MollieHyden,
George Hyden,
Cleveland Hyden,
appear upon the 1896 Choctaw Census Roll, opposite Nos. 6154, 6187, 6189, 6188 and 6196, respectively.
The name of Mollie Hyden also appears upon said roll opposite No. 14675, as an intermarried citizen.

BY MR. CRUCE:

Q Mr. Hyden, are you a Choctaw Indian? A I am.
Q Been enrolled as such? A Yes sir.
Q Received a patent to your land? A Yes sir.
Q What kin did you say J W Hyden is to you? A Brother.
Q What kin isD M Hyden? A Brother.
Q What kin is Nancy J Reed to you? A Sister.
Q What kin is Oscar B. Jackson? A Nephew.

Q What kin is Sarah L. Jackson? A Sister.
Q She is the wife of A. W. Jackson? A Yes sir.
Q Do you know anything about having made application for the enrollment of these people whose names I have called to you? A Yes sir, I had their names listed in 1895, and the Choctaw Council didn't meet again until the Dawes Commission come in, and instead of going before the Council we applied to the Dawes Commission.
Q You did make application for them before the Council in 1895?
A Yes si.
Q Was that acted upon? A No sir.
Q When did you appear before the Census Committee?
A When that was first appointed. I don't remember the date. In the fall of of '66.
Q '66 or '96? A '96, I mean. I went before them and had evidence there with me. -
Q You testified before the Census Committee in the fall of '96?
A Yes sir.

CROSS EXAMINATION

BY MR. ROSENWINKEL:

Q The first time any of these people were ever recognized by the tribal authorities was when their names were placed on the 1896 Census Roll? A Yes sir, they recognized me long before that. The others were scattered off.
Q Never mind, I was just asking about these applicants?
A Yes, the first time we were admitted.

BY MR. CRUCE:

Q When were you attempted to be admitted by the Choctaw Council?
A In 1895.
Q Who is Thwaites Hyden? A One Hyden I am not acquainted with.

(Witness dismissed).

D. M. HYDEN, being duly sworn testified as follows:

BY THE COMMISSIONER:

Q What is your name? A David M. Hyden.
Q How old are you, Mr. Hyden? A Fifty years old.
Q What is your postoffice address? A McGee, Indian Territory
Q Are you a married man? A Yes sir.
Q What is the name of your wife? A Kattie J. Hyden.
Q How old is Kattie J? A She is forty-four.
Q Have you any children? A Yes sir.
Q What are their names and ages? A Sallie V. Hyden is deceased. She would be twenty-four years old if living. As near as I can remember. Pearl Hyden is about twenty or twenty-one years old---She is twenty-two. Sam M. Hyden is twenty, will be in September. Garnette is fifteen.
Q Who is the mother of these children? A Their mother is dead.
Q What was the name of their mother? A Dicey J. Hyden.
Q When were you married to Kattie J. Hyden? A In 1896.
Q Are these children all living at the present time? A Yes sir, except my eldest daughter.
Q When did Sallie V. die? A About four years ago. She had one child. She was married to a man by the name of Byars. The child is living.
Q What is the name of the child? A I forget my grand-child's name,-Levi. About six years old.
Q Can you give us more exactly the date of the death of Sallie V. Hyden? A I don't remember just the date of the death, but it occurs to me it was in the summer, I think. I think it was in the summer, best of my recollection. I haven't got the date with me.
Q Was it prior to September, 1902? A I think it was prior to September 1902, best of my recollection.
Q Have you any personal knowledge - - To whom was Pearl married? A Man by the name of Wilcoxen.
Q Have they any children? A They have three.
Q What are their names and ages?
A Roy, he is five years old, I think. Bud, three years old, and they have a child about a year old, little girl.
Q What is it's name? A Martha.
Q Is Samuel M. married? A No sir.

THE COMMISSIONER: The name of D. M. Hyden appears on the 1896 Choctaw Census Roll opposite No. 6192. His children's names appear on said roll as follows:

Sallie Hyden,	opposite	No.	6193,
Pearl "	"	"	6194,
Sam "	"	"	6195,
Garnet "	"	"	6196.

Q Do you know what the name of J. W. Hyden's youngest child is?
A Yes sir, Thwaites, or Thwait.
Q How old is Thwait? A About seven or eight years old; I don't remember exactly.

BY MR. CRUCE:

Q Who is Nanny J. Hood? A That is my sister.
Q Her maiden name was Hyden, then? A Yes sir.
Q Who is Ed Hood? A Her son.
Q How old is he? A About twenty-four or five years old.
Q Is he married? A No sir.
Q Who is Willie Gilliland? A Is Willie Mapes. That is Mrs. Hood's child, she raised her; grand daughter.
Q Her name was Mapes? A Yes sir.
Q Married Gilliland? A Yes sir.
Q Who is Thelma Gilliland? A Her child.
Q How old is this child? A About two years old.
Q Are these people all living,-Nancy Hood living?
A Yes sir, lives in McGee, all of them except J. W. Hyden's people.

CROSS EXAMINATION

BY MR. ROSENWINKEL:

Q What is your name? A D. M. Hyden.
Q When did you remove to the Indian Territory?
A When did I come to the Indian Territory?
Q Yes? A In 1895.
Q You had never lived here prior to that time? A No sir.
Q When did A. M. Jackson come to the Indian Territory?
A I can't tell you just when he did come, I think probably about the year 1870.
Q 1870? A Yes sir, he has been here some thirty or thirty-five years, in the Chickasaw Nation.
Q When did J. W. Hyden come here, about that time?
A Probably the year before I did.
Q Wesley Smith, when did he come here? A I can't tell you.
Q Were all these petitioners in these cases residing in the Indian Territory on June 28, 1898? A Yes sir.
Q Positive of that? A Yes sir. - - June 28, 1898?
Q Yes? A Yes, they was all residents of the Chickasaw Nation then.
Q You were never recognized by the tribal authorities of the Choctaw Nation by having your name placed on the tribal rolls or by having been admitted by an act of the tribal council prior to the act of admission by the revisory board in the fall of 1896?
A No sir, not that I know of.
Q At the time you applied to the Dawes Commission in 1896, your name did not appear on the tribal rolls?
A I don't know. - - At the time we applied to the Dawes Commission in 1896?
Q Yes? A I don't know whether our names were upon that roll at that time or not.
Q You knew when you applied to the Dawes Commission in the fall of 1896? A The best of my recollection - -

Q It was on the 9th of September, for the purpose of refreshing your memory? A I wouldn't say what the date was.
Q I will ask you whether on the 9th of September, 1896, your name appeared on the tribal rolls of the Choctaw Nation?
A I can't say whether it appeared at that time or not.
Q Don't you know when it was put there? A Don't remember the date.
Q Do you remember that it was away late in the fall towards Christmas? A No sir, it was in the fall sometime.

MR. CRUCE: We admit that his name wasn't on the roll at the time he applied to the Dawes Commission.

BY THE COMMISSIONER:

Q Edward Hood is living? A Yes sir.
Q Living with his mother Nancy J. Hood in the Chickasaw Nation?
A Yes sir.

THE COMMISSIONER: The name of N. J. Hood appears on the 1896 Choctaw Census Roll opposite No. 6172. The name of William Hopes appears on said roll opposite No. 8936.

(Witness dismissed).

OSCAR E. JACKSON, being duly sworn testified as follows:

Q By the Commissioner:

Q What is your name? A Oscar E. Jackson.
Q Age and postoffice address? A Twenty-six years old 25th day of November. Millcreek.

BY MR. CRUCE:

Q Are you the father of Edna? A Yes sir.
Q What is her right name? A Edria Eyrl.
Q What is your wife's name? A Georgia Eyrl.
Q Have you any other children except Edria? A Yes sir, one.
Q What is it's name? A I reckon you would call it "Babe", that's what we have always called it.
Q How old is it? A Born on the 4th of last February.

(Witness dismissed).

S. T. Wright, being duly sworn, states that as stenographer to the Commissioner to the Five Civilized Tribes he recorded the testimony and proceedings had in the above entitled cause, and that the foregoing is a true and correct transcript of his stenographic notes thereof.

S. T. Wright

Subscribed and sworn to before me this the 11th day of August, 1906.

Truman Scaggs

NOTARY PUBLIC.

7-5187

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
Muskogee, Indian Territory, September 21, 1906.

In the matter of the application for the enrollment of Henry Pruitt et al. as citizens of the Choctaw Nation.

In the matter of the application for the enrollment of A. M. Jackson et al. as citizens of the Choctaw Nation.

In the matter of the application for the enrollment of J. W. Hyden et al. as citizens of the Choctaw Nation.

In the matter of the application for the enrollment of Oscar E. Jackson et al. as citizens of the Choctaw Nation.

In the matter of the application for the enrollment of Cecil Smith et al. as citizens of the Choctaw Nation.

On August 25, 1906, the petitioners, Henry Pruitt, Ardmore, Indian Territory, Cecil Smith, McGee, Indian Territory, A. M. Jackson, McGee, Indian Territory, J. W. Hyden, McGee, Indian Territory, D. E. Hyden, McGee, Indian Territory, Nancy J. Reed, McGee, Indian Territory, attorneys for the petitioners Cruce, Cruce & Bleakmore, Ardmore, Indian Territory, and the attorneys for the Choctaw and Chickasaw Nations Mansfield, McMurray & Cornish, South McAlester, Indian Territory, were notified that the Commissioner would at his office at Muskogee, Indian Territory, On Friday, September 21, 1906, at nine o'clock A. M. hear further testimony in regard to whether the applicants in said consolidated Choctaw case possessed Choctaw blood, and also as to whether said applicants were recognized by the tribal authorities in any manner other than their enrollment in 1896, and in regard to the intermarried status of Henry Pruitt, Cecil Smith, A. M. Jackson and Mollie Hyden on September 25, 1902.

In accordance with said notices a hearing was had at the office of the Commissioner on Friday, September 21, 1906. The

Henry Pruitt et al.-------2

following appearances were entered and proceedings had:

APPEARANCES:

J. W. HYDEN and D. M. HYDEN, petitioners,

A. C. CRUCE, of the firm of Cruce, Cruce & Bleakmore, appears as attorney for the petitioners,

No appearance entered on behalf of the Choctaw and Chickasaw Nations.

BY MR. CRUCE:

Court please, when this case was heard before we submitted what we thought was sufficient testimony at that time but subsequently our clients have been receiving letters from the Commissioner resetting the case for to-day for further testimony showing what tribal recognition they had and also with reference to the intermarried status of some of them.

D. M. HYDEN, being first duly sworn, testifies as follows:

EXAMINATION BY THE COMMISSIONER.

Q What is your name? A D. M. Hyden.
Q What is your postoffice address? A McGee, Indian Territory.
Q How old are you? A I am 50 years old.
Q You are one of the applicants in the consolidated application for enrollment of Henry Pruitt et al. as citizens of the Choctaw Nation? A Yes sir, the case I understand was J. W. Hyden.
Q Consolidated with the case of Henry Pruitt? A Yes sir.
Q It is claimed in the petitions filed in this case, and also shown upon the records in the possession of the Commissioner to the Five Civilized Tribes that the names of yourself and family appear upon the 1896 Choctaw Census Roll; prior to 1896 were you ever recognized in any manner by the tribal authorities of the Choctaw Nation as a citizen of said nation? A In June, 1896, I bought a farm at McGee, farm and pasture, and I never was required to pay any taxes, asked to pay any taxes, nor permits, and there was a man, one or two men on my place that paid for these under A. M. Jackson and D. M. Hyden; and further recognized than that I dont know that I was ever recognized any further than that; I never was asked to pay any taxes myself.

Q You were never admitted to citizenship in the Choctaw Nation by any duly constituted authority? A No sir, not that I know of except the census. I made application in 1896 at the same time my brother, W. W. Hyden, was admitted; made application to the Council, but I dont suppose it was ever acted upon, because in 1896 the Dawes Commission was created and as I understood it they never had a council after that.
Q Then the placing of your name on the 1896 Choctaw Census Roll is the only tribal recognition of yourself by the Choctaw tribal authorities other than the permission to hold land in the Choctaw Nation? A I dont know that I was recognized through any of the authorities further than that.
Q From what source do you derive your Choctaw blood? A From the Turner Brashears family.
Q What relation are you to Turner Brashears? A He is my great-grandfather.
Q What is the name of your mother? A Nancy B. Hyden.
Q How much Choctaw blood do you claim? A Well sir, I suppose it is about a thirty-second, dont know just exactly.
Q What is the name of your grandfather? A John Hyden.
Q Through which one of your parents do you derive your Choctaw blood, mother or father? A My father.
Q Your father-- and Samuel Hyden was the son of John Hyden as I understand it? A Was the son of John Hyden, yes sir, that is correct.
Q And who was-- through whom did John Hyden derive his Choctaw blood? A From his father-- from his mother, Elizabeth Brashears.
Q How much Choctaw blood did Elizabeth Brashears possess? A Elizabeth Brashears, I dont know whether she was a full-blood or not.
Q Your father, Samuel Hyden, is dead, I believe? A Yes sir.
Q What relation are you to J. W. Hyden? A My brother.
Q Full brother? A Yes sir.
Q What relation are you to Nancy Pruitt? A She is a niece of mine; my sister's child.
Q She is the daughter of your sister? A She is the daughter of Mrs. Jackson, my sister.
Q What is the name of the mother of Nancy Pruitt? A Sallie Jackson, was Sallie Hyden.
Q What Relation are you to Maud Smith? A Same relation as I am to Mrs. Pruitt; they were sisters.
Q Are you related to A. M. Jackson? A He is a brotherinlaw, husband of Mrs. Jackson.
Q Husband of Sallie Jackson? A Yes sir.
Q What relation are you to Nancy J. Hood? A She is my sister.
Q Who is the husband of Nancy Pruitt? A Henry Pruitt.
Q When was she married to Henry Pruitt? A I think it was in '72.
Q Were they married in accordance with the laws of the Choctaw Nation? A I dont remember just when they was married; he told me that he was, I dont know further than that.
Q They were married in 1872? A I am not positive.
Q Were you present at the marriage? A No sir.
Q You have no personal knowledge other than--? A Nothing further than what he told me; I dont remember when they were married positively further than that he told me that he was married under the Choctaw law.
Q Have Nancy Pruitt and Henry Pruitt lived continuously in the Choctaw Nation as husband and wife since they have been married?

A Yes sir.
Q Who is the husband of Maud Smith? A Cecil Smith.
Q When, if you know, when was Cecil Smith and Maud Smith married?
A I dont remember the date when they was married exactly.
Q Have you any personal knowledge as to their marriage?
A Married about the year '96, '95 or '96, I dont know just when they did marry.
Q You have no personal knowledge as to the marriage of these parties? A No sir.
Q Is J. W. Hyden present? A Yes sir.
Q Who is the husband of Sallie Jackson? A A. M. Jackson.
Q Have you any personal knowledge as to the date of the marriage of A. M. Jackson and Sallie Jackson? A Yes sir.
Q When were they married? A They were married in 1870.
Q Were you present at the marriage? A Yes sir.
Q They have lived continuously in the Choctaw Chickasaw country as husband and wife since that date? A Not ever since that date they was married, biggest part of the time they have lived here, in fact, in the last twenty-five or thirty years have lived here; I dont remember just how long they have lived here in the Chickasaw Nation.
Q Have continued to live as husband and wife since their marriage? A Yes sir, together yet.
Q Nancy Pruitt and Henry Pruitt were living together in the Choctaw Nation as husband and wife on September 25, 1902, were they? A In the Chickasaw Nation.
Q Was Cecil Smith and Maud Smith living together as husband and wife in the Chickasaw Nation September 25, 1902? A Yes sir.
Q Sallie Jackson and A. M. Jackson living together as husband and wife in the Chickasaw Nation September 25, 1902? A Since 1870.
Q As I understand it you have no personal knowledge of the marriage, or the date of marriage of these parties? A Only A. M. Jackson and Sallie Jackson, I was present at the marriage; was at my father's house.
Q When did that occur? A '70.
Q Remember the date? A No sir. Marriage certificate cannot be produced from the fact that the records were burned in Falls County; we were living there at that time; I have examined the records; records from '56 to '72 was burned, marriage records.
Q Mr. Hyden, when did your father, Samuel Hyden, die? A Died in '81.
Q Where was he living at that time? A Falls County, Texas.
Q Was he ever recognized as a citizen of the Choctaw Nation?
A He never lived in the Choctaw Nation at all that I know of.
Q Your grandfather, John Hyden, ever live in the Choctaw Nation?
A Yes sir, I understand that he lived in the Choctaw Nation; dont know that of my personal knowledge; he lived in Mississippi
Q Your great-grandmother, Elizabeth Brashears, was she a resident of the Choctaw Nation at any time? A Well I cant speak from my personal knowledge, whether she was or not, cant say; I understand she came from Mississippi to the Choctaw nation.
Q Upon what do you base your statement that you are a one thirty-second Choctaw? A Well, I dont know just exactly, figured out that was about the amount; dont know just how much Indian blood she had in her.

CORRECTION

THIS DOCUMENT HAS BEEN REPHOTOGRAPHED TO ASSURE LEGIBILITY

A Yes sir.
Q Who is the husband of Maud Smith? A Cecil Smith.
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Q Your great-grandmother, Elizabeth Brashears, was she a resident of the Choctaw Nation at any time? A Well I cant speak from my personal knowledge, whether she was or not, cant say; I understand she came from Mississippi to the Choctaw nation.
Q Upon what do you base your statement that you are a one thirty-second Choctaw? A Well, I dont know just exactly, figured out that was about the amount; dont know just how much Indian blood she had in her.

Q Has it always been the understanding of the family that your great-grandmother was a Choctaw Indian? A Yes sir, that is what my mother has always told me; my father never said anything about it, very little; after my father's death Mother told me all about it; he never would talk about it, never would say anything about it.

BY MR. CRUCE:

Q You are a full brother to W. W. Hyden, are you? A Yes sir.
Q I understand that your application was made to the Choctaw Counsil in 1895? A Yes sir.
Q Same Counsil that you say adopted W. W. Hyden, Whit Hyden? A Yes sir.
Q This was never acted upon? A No sir.

WITNESS EXCUSED.

W. W. HYDEN, being first duly sworn, testifies as follows:

BY THE COMMISSIONER:

Q What is your name? A Whit Hyden.
Q How old are you? A 61 years old.
Q What is your postoffice address? A McGee, I.T.
Q Are you acquainted with D. M. Hyden? A I am.
Q Are you any relation to D. M. Hyden? A Brother.
Q How much Choctaw blood do you possess, Mr. Hyden? A Well sir, it was proven in the Counsil that we was one-eighth, that is what the Indian Council claim, proven there one-eighth Choctaw.
Q You derive your Choctaw blood from your great-grandmother, Elizabeth Brashears, I understand? A Yes sir.
Q How much Choctaw blood did Elizabeth Brashears possess? A I've been told she was a half [redacted].
Q Where did your great-grandmother, Elizabeth Brashears live? A When my grandfather married her they say that she lived in Yazoo, Mississippi.

BY MR. CRUCE:

Q Did you file a petition before the Council? A Yes sir, I filed a petition; I was admitted; the petition was carried in and within a half hour, I expect within a half hour, I was admitted and had my certificate to enrollment; Judge Everidge was my personal witness, claimed own cousin to my father; he was supreme judge there, one of the supreme judges of the Choctaw Nation. Then I filed their names for enrollment; told me would enroll balance of names in the

next Council; before the next Council came in they told us Choctaw business admitting citizens was of no effect, to go before Commission.

BY THE COMMISSIONER:

Q Upon what do you base your statement that Elizabeth Brashears was a Choctaw Indian? A Base it upon that of my mother; Mother told me that Elizabeth Brashears was my great-grandmother; that she was a Choctaw Indian. Judge Everidge swore the same before the Council, that she was his aunt and a half-breed Choctaw. That is what we base our right on. Proof was made satisfactory to the Council about that fact.
Q I believe you said your great-grandmother lived in Mississippi? A She was raised there in Mississippi.
Q Do you know whether or not she ever received any land, any benefits from the Indian tribe in Mississippi? A Only hearsay; I have heard she did.
Q You have no personal knowledge? A No sir.

BY MR. CRUCE:

Q Mr. Hyden, did your petition to the Choctaw Council, did it state upon what grounds you claimed citizenship, by blood or otherwise? A Yes sir, by blood, and that I was a descendant of Elizabeth Brashears, grandson.
Q You spoke of Judge Everidge? A He was one of the supreme Judges of the Choctaw Nation.
Q Do you know whether or not he has been enrolled as a Choctaw citizen? A Yes sir, he came here with the Choctaws from Mississippi.
Q Is he a descendant of Elizabeth Brashears? A He is a nephew of hers. My father, he swore before the Council, they were own cousins, they were sisters' children.
Q Do you know about when Henry Pruitt was married? A He was married in about '86, '85 or '86, '86 though I think.
Q He married a daughter of A. M. Jackson? A Yes sir.
Q Do you know whether or not she married young? A I dont think she was over fourteen if that much, fourteen when they married, wasnt more than that.

WITNESS EXCUSED.

J. W. HYDEN, being first duly sworn, testifies as follows:

BY THE COMMISSIONER:

Q What is your name? A J. W. Hyden.
Q What is your postoffice address? A Center.

Neary Pruitt et al.------7

Q How old are you? A I am 54 years old.
Q What is the name of your wife? A Mollie M. Hyden.
Q When were you married to Mollie M. Hyden? A. I was married in '79.
Q What relation are you to D. M. Hyden? A Brothers.
Q Have you any knowledge as to the amount of Indian blood that you possess? A I have no definite knowledge in regard to that more than just what we have figured out ourselves; it was generally conceded that Elizabeth Brashears was a half-breed, and she was our grandmother; that is about the only way that we have ever figured the blood.
Q You have no knowledge of any recognition that Elizabeth Brashears may have had by the Choctaw Indian tribe? A No sir, other than we were taught by our mother.

W. W. HYDEN, recalled, testified as follows:

BY MR. CRUCE:

Q Were you in business with A. M. Jackson in the mercantile business in Ardmore? A Yes sir.
Q What year? A In '94 to close of about '97 or '8, dont think we were in business before '94.
Q A. M. Jackson was in it? A Yes sir.
Q Were you ever required to pay merchants' tax at that time? A No sir.
Q Were you ever in business in the Chickasaw Nation prior to that time? A Yes sir.
Q You were never required to pay any taxes? A No sir.

Witness excused.

Examination of W. W. HYDEN, continued.

BY THE COMMISSIONER:

Q Mr. Hyden, were you ever recognized by the tribal authorities of the Choctaw Nation as a citizen of the Choctaw Nation prior to 1896? A When I was recognized--- in '95 I had a proposition to go to work as permit collector; Mr. Jess told me that if I would accept that proposition that he would have the governor give me the position as permit collector; he was at the time permit collector, wanted assistance; asked me if I had employment. Had employment at the time. Then I owned land, leases and paid permits; had men two or three men under me. That is about the only recognition, from the fact

Henry Pruitt et al.------6

that I wasnt living here until that year. I came here in '98.

WITNESS EXCUSED.

Cora Moore, being first duly sworn, states as stenographer to the Commissioner to the Five Civilized Tribes she reported the proceedings had in the above entitled cause on September 21, 1906, and that the above and foregoing is a true and correct transcript of her stenographic notes taken in said cause on said date.

Cora Moore

Subscribed and sworn to before me this 22nd day of September, 1906.

Edward Merrick
Notary Public.

7-2187.

DEPARTMENT OF THE INTERIOR
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

ARDMORE, INDIAN TERRITORY, NOVEMBER 13, 1906.

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In the matter of the application for the enrollment of Henry Pruitt, et al., as citizens by blood of the Choctaw Nation.

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APPEARANCES:

W. R. Bleakmore appears on behalf of Cruce, Cruce & Bleakmore;

No appearance on behalf of the Choctaw and Chickasaw Nation.

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Witnesses sworn by H. C. Miller, a Notary Public.

- --

J. W. HYDER, being first duly sworn and examined, testified as follows:--

EXAMINATION

On Behalf of the Commissioner:--

Q You are J. W. Ryder? A Yes, sir; I am 54.
Q What is your postoffice? A Comden.
Q You are the father of George Ryder? A Yes, sir.
Q George Ryder is dead, is he? A Yes, sir.
Q Can you tell me the exact date of his death? A Yes, sir.
Q What was it? A It was the 3rd day of October, 1901.
Q You are the husband of Sally Ryder? A Yes, sir.
Q When were you married to her? A In 1878.

Q What month and date? A In October, the 23rd dayof October.
Q Where were you living at that time? A In Falls County,Texas.
Q Where was she living? A Same place.
Q When did you remove to the Choctaw and Chickasaw Nation? A In 1888.
Q Your wife still living with you at that time? A Yes, sir.
Q You lived all that time in the Choctaw-Chickasaw Nation? A Since then; yes, sir.
Q You were married under the laws of the state of Texas? A Yes, sir.
Q What is the name of your father?A Samuel Hyden.
Q The name of your mother? A Nancy D. Hyden.
Q Which one of your parents possessed Choctaw blood? A My father;
Q Where was he born? A My father was born in Virginia. That was my understading.
Q Where did he die? A He died in Texas.
Q Did he remove from Virginia to Texas? A He removed from Virginia to North Missouri. From North Missouri to South-west Missouri, and from there to Texas.
Q Do you know the names of the father and mother of your father, Samuel Hyden? A Yes, sir; his father's name was John Hyden.
Q What was his mother's name? A Elizabeth Hyden.
Q What was her maiden name? A Elizabeth Bradhears.
Q Which or one of these parties possessed Choctaw blood? A Elizabeth Brashears.
Q Do you know whose daughter she was? A I do not. No, sir. I think I heard it talked of, but I do not know positive enough to swear to it.
Q What is your information on that subject, as to her parentage?
A I think it was Turney Brashears was her father.
Q Where was Elizabeth Brashears born? A I do not know-- I do not.
Q Was she raised in Virginia, where your father was? A No, sir; I think not; my idea was-- what I heard and a great deal of that I do not remember-- but I think she was from Mississippi. That was my impression. I know nothing definite.
Q She is your grand-mother/- Elizabeth Brashears? A Yes, sir.
Q You stated, though, that your father was born in Virginia? A Yes, sir.
Q And his mother, Elizabeth, evidently resided there at one time?
A Well, yes; I don't know-- at what time she emigrated to that country, nor do I remember whether my father went to Mississippi and married her there. I have no information in regard to that. No recollection about that.
Q Do you know whether Elizabeth Brashears had any brothers and sisters? A I am not positive.
Q Have you heard as to that, as a matter of family history? A I have heard them speak of sisters.
Q Do you know the names of anyone of them? A I do not.
Q Did you ever hear stated the degree of Choctaw blood that Elizabeth Brashears possessed? A Well, sir, we have talked about that. I think that Elizabeth Brashears was a half breed. That was always my idea about that. That is what I was taught,- that my grand-mother was a half breed Choctaw.
Q Did you ever hear as to which parent she inherited her Choctaw blood? A Yes, sir; I would not say positive, but the Brashears, it was my impression.
Q Her father or mother? A Yes, sir;Her father.
Q Is Nancy J. Hood your sister? A Yes, sir.
Q Has she a granddau by the name of Willie Hayes? A She has a granddaughter.

Q That is a girl, is it? A Yes, sir.
Q Is Willie Hayes and Willie Williland the same one? A Yes, sir; she has been married.
Q Willie Williland and Willie Hayes are the same one and she is a female? A Yes, sir.

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(Witness dismissed.)

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D. M. HYDEN, being first duly sworn and examined, testified as follows:--

EXAMINATION

On Behalf of the Commissioner:--

Q Your name is D. M. Hyden? A Yes, sir.
Q How old are you? A 50.
Q What is your postoffice? A McCoe.
Q Did you have a daughter named Sallie V. Hyden? A Yes, sir.
Q Is she living? A No, sir; she is dead.
Q When did she die? A The 4th day of August.
Q What year? A 1902. Here is affidavit in regard to all the questions you would want to ask me, I suppose, from the attending physician.
Q Was she married before her death? A Yes, sir.
Q What was the name of her husband? A William H. Myers.
Q There has been a petition filed for Levi Myers. A It is her son.
Q When was he born? A There is an affidavit there; the 18th of November, I believe.
Q 1900? A 1900.
Q That is a boy, is it? A Yes, sir.
Q Is the father of Levi Myers a white man? A Yes, sir.
Q You have a daughter, Pearl M. Hyden? A Yes, sir.
Q She is living? A Yes, sir.
Q Is she married? A Yes, sir.
Q Is she the mother of [illegible] Wilcoxen? A Yes, sir.
Q When was Bud born? A I cannot remember that; there is an affidavit there.
Q The affidavit states the 23rd of February, 1903; is that correct? A Yes, sir.
Q That child living? A Yes, sir.
Q You are the brother of J. W. Hyden, who has just testified? A Yes, sir.
Q Can you give any additional information relative to your ancestors, other than he has given? A No, sir, other than my information that my grandfather Brashears got her right through her mother.
Q Elizabeth Brashears got her right through her mother? A That is my information; my understanding of Dawes I could not testify as to that.

Q Your father, Samuel Hyden, was born in Virginia? A I could not say.
Q You heard your brother, J. W. Hyden, testify as to that matter? A Yes, sir.
Q You are younger than J. W? A Yes, sir; about 4 years.
Q Do you know anything to the contrary as to whether or not your father was born and reared in Virginia? A No, sir; I could not say about that.
Q Do you know whether where Elizabeth Hyden, the mother of Samuel Hyden, was born? A No, sir.
Q Do you know whether or not she had any brothers or sisters? A My understanding was she was raised in Mississippi.
Q Do you know whether or not she had any brothers or sisters? A No, sir; I do not.
Q Have you ever heard as a matter of family history where she married your grand-father, Samuel Hyden? A I have heard the whole family history, but I cannot relate. I cannot remember it.
Q Did you ever hear it stated who the father and mother of Elizabeth Brashears were? A No doubt I have heard often.
Q Do you recollect? A I do not recollect; no, sir.
Q Have you any other information relative to your ancestors, other than you have stated? A No, sir.
Q Is there any member of your family who is older than you, who is able to give any information on your ancestors? A My eldest brother, - W. W. Hyden. Turney Brashears was her father, I believe.
Q Elizabeth Brashears' father? A Yes, sir.
Q Do you know where he came from? A No, sir.
Q Do you know whether or not he ever lived in the Territory? A I do not; I don't suppose he ever did live in the Territory that I knew of.

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)Witness dismissed.)

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A. M. JACKSON, being first duly sworn and examined, testified as follows:

EXAMINATION

On Behalf of the Commissioner:--

Q What is your name? A A. M. Jackson.
Q How old are you? A 58 years old.
Q What is your postoffice? A McGee.
Q You claim rights as an intermarried citizen, do you not? A Yes, sir.
Q Where were you married to your wife, Sallie Jackson? A Falls County, Texas.
Q What year? A '70.

Q You remember the month and day? A June 9.
Q Married under Texas law? A Yes, sir.
Q Did you ever remarry your wife after you removed to Indian Territory, under the laws of the Choctaw Nation? A No, sir.
Q Did you ever get a Choctaw or Chickasaw license to marry your wife, Sallie Jackson? A No, sir.
Q There has been only one marriage and that was in Texas under the Texas law? A Yes, sir.
Q You have a daughter named Nancy Pruitt? A Yes, sir.
Q She is married to Henry Pruitt? A Yes, sir.
Q Where was she married to Henry Pruitt? A In the Chickasaw Nation, near where Carnage is now.
Q Was Henry Pruitt residing within the limits of the Chickasaw Nation at that time? A Yes, sir.
Q Did he secure a Choctaw or Chickasaw license to marry your daughter? A I was not at home at that time; I could not say.
Q Did you ever hear that he secured a Choctaw or Chickasaw license to marry your daughter? A I never inquired.
Q Where is Henry Pruitt at this time? A He lives in Carnage.
Q When was your daughter, Nancy, married to Henry Pruitt? A I could not give you the date, but it was about 18 years.
Q 18 years ago? A Yes, sir.
Q You have another daughter named Maude Smith? A Yes, sir.
Q She living? A Yes, sir.
Q When was your daughter Maude married to Cecil Smith? A I have not got the date.
Q Aboutwhat year? A 12 or14 years ago.
Q Where was Cecil Smith living at that time? A Living at Ardmore.
Q And your daughter was living where? A Ardmore.
Q Were you present at the time they were married? A No, sir.
Q Do you know whether or not Cecil Smith secured tribal license to marry your daughter? A No, sir; I never inquired.
Q Where is CecilSmith at this time? A He removed out on the plains of Texas.
Q What is his post office? A Claude; he thought that he was going intoconsumption and the doctor sent him out there for his health.
Q Who married your daughter Nancy? Who performed the ceremony? A I could not say.
Q Were you present? A No, sir.
Q Were ypu present when Cecil Smith married your daughter Maude? A A No, sir; present neither time.
Q You have heard the testimony of Mr. D. M. Hyden and J. W. Hyden, here, this morning. Do you know anything additional to the ancestry of the Hyden family? A No, sir; knew nothing of them until after the war. I knew he claimed Indian,Knew he claimed Choctaw when I first knew them. I knw he was married when I first come here.
Q How long have you been in the Territory? A 33to 35 years.

EXAMINATION

By Mr. Blakemore:--

Q Were you recognized as an Indian after you removed to the Territory? A Yes, sir.

Q And took up land? A Yes, sir.
Q Were permits granted you by the Indian authorities to rent your lands to non-citizens? A Yes, sir.
Q Did you ever hear any Indians in the Indian Country? A Yes, sir.
Q Did you live among the Indians here as your neighbors? A Yes, sir.
Q Did yours they regard you as an Indian? A Yes, sir; they seemed to.
Q And as a citizen of the Choctaw Nation? A Yes, sir.

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(Witness dismissed.)

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THIS IS ALL THE TESTIMONY TAKEN.

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Winifred E. Ayers, being first duly sworn, states that she, as stenographer to the Commissioner to the five Civilized Tribes, reported the testimony in the foregoing proceedings and that the above is a true and correct transcript of her stenographic notes thereof.

Winifred E. Ayers

SUBSCRIBED and sworn to before me, this 26th day of November, 1926.

H. C. Miller
Notary Public.

WEA

7-5187.

Department of the Interior,
Commissioner to the Five Civilized Tribes.
Muskogee, Indian Territory, December 3, 1906.

In the matter of the application for the enrollment of Henry Pruitt, et al., as citizens of the Choctaw Nation.

APPEARANCES: W. R. Bleakmore of Cruce, Cruce & Bleakmore, attorneys at law, Ardmore, Indian Territory, appears on behalf of the applicants.
No appearance on behalf of the Choctaw and Chickasaw Nations.

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SARAH A. HARLAN, being first duly sworn, testified as follows:

Examination by the Commissioner:

Q What is your name? A Sarah A. Harlan.
Q How old are you, Mrs. Harlan? A Seventy-seven.
Q What is your post office? A Blocker.
Q Where were you born, Mrs. Harlan? A Alabama.
Q What county? A Sumpter County.
Q What is the name of your father? A Sampson Mcmerief.
Q What is the name of your mother? A Sophia Mcmerief.
Q What was your father, a white man or an Indian? A White man.
Q What was your mother? A Choctaw.
Q When did you come to the Indian Territory? A 1850.
Q What was the name of your mother's father? A Zedec Brashears.
Q What was the name of your mother's mother? A Susan Brashears.
Q Which one of your grand-parents had Choctaw blood, Zedec or Susan? A Susan.
Q Was Zedec a white man or an Indian? A White man.
Q Of what descent was he? A Scotch.
Q Near what place in Sumpter County, Alabama, did you live?
A I lived three miles from Demopolis, which is in Marengo County.
Q And between what towns did you live? A Demopolis and Belmont.
Q What is the county-seat of Sumpter County? A Livingston.
Q Were you a beneficiary under Article Fourteen of the treaty of 1830? A Yes sir.
Q You received land under that treaty? A Yes sir.
Q Do you know the names of the mother and father of Susan Brashears, your grandmother? A No sir.
Q Do you know the mother and father of Zedec Brashears, your grandfather? A No sir.

Q What was your grandmother's maiden name, Susan Brashears?
A She was a Vaughn.
Q How many children did Zedec Brashears and Susan Brashears have?
A Well, I will name them: Jesse, Zedec, Vaughn, Turner, Susan, Elizabeth, Annie and Sophia, my mother.
Q Now, which was the eldest of these eight children you have mentioned? A Jesse was the eldest.
Q Who comes next? A Vaughn.
Q Who next? A Susan.
Q And then who? A Elizabeth.
Q And then? A Annie.
Q Who comes next? A Zedec, Turner, Sophia.
Q Were all these children born in Sumpter County, Alabama?
A Well, I don't know what county they were born; that is where I learned to know them; I don't know them either only through my mother.
Q It is a matter of family history that they were all reared in that community? A In that state.
Q What became of Jesse Brashears? A He died in Mississippi.
Q Was he married? A Yes sir.
Q Do you know who his wife was? A Jusea.
Q Was she a white woman or an Indian? A She was an Indian.
Q Do you know about when he died? A Oh, no, that was before I was old enough to know.
Q What became of Vaughn Brashears? A He came to this country.
Q Indian Territory? A Yes sir, long years before I came here.
Q Was he married when he came here? A Well, I really don't know whether he was married before he came or after, but I rather think after he came here.
Q Did you ever hear who he married? A No sir.
Q What became of Susan? A She died in Jackson, Mississippi.
Q Had she married? A Yes sir. Her first husband was Stewart; second husband was Graham.
Q She only married twice? A Yes sir.
Q What became of Elizabeth? A She died in Sumpter County.
Q Was she ever married? A Yes sir.
Q Who was her husband? A Buckholt.
Q Was she ever married more than once? A No.
Q Did she have any children? A Yes, she had a good many.
Q Did you ever hear the names of these children? A Some of them.
Q Name those you recollect? A Augustus and Elizabeth and William and Sarah. There is more but I don't know as I can call their names.
Q Did you ever see any of these children of Elizabeth Buckholt?
A Yes sir.
Q Have you seen Augustus and Elizabeth? A Yes sir.
Q Have you seen William and Sarah? A Yes sir.
Q Did the daughter of Elizabeth Brashears ever marry to your knowledge? A Yes sir.
Q To whom? A Moran.
Q What was he, a white man or an Indian? A Well, now, I don't know. I never saw him but once when I was too small to pay attention.
Q Was this man Buckholt your aunt Elizabeth married a white man or an Indian? A White man.

Q Did you ever hear that Elizabeth Buckholt, either your aunt or your cousin, ever married a man by the name of Hyden?
A No sir, never heard the name before.
Q Did you ever hear of any one by the name of Hyden having married into the Brashears family? A No sir.
Q What became of Annie? Did she marry? A My mother's sister?
Q Yes? A Yes sir, she married.
Q Who did she marry? A She married her cousin, Alex Brashears.
Q How did that relationship come about? You say she married her cousin? A Well, I was too young to know much about it, though my mother always said he was her cousin, and that is all I know.
Q Who was the mother and father of Alex Brashears? A I don't know. He was Indian.
Q Did he ever come out here to the Territory? A No sir, died in Sumpter County.
Q Did she also? A She died long before he did.
Q Did they have any children? A Yes sir.
Q Did you ever hear the names of any of their children?
A Yes sir, I think I know most all of them. The oldest is Rachel, the next was Alexander, and next Harriet, and Lettie, and Sophia, and that is all. There might be more, but that is all I recollect.
Q Did any of these children come to the Choctaw Nation?
A Yes sir.
Q Which ones? A Harriet and Lettie and Sophia and Alexander.
Q All came to the Choctaw Nation, Indian Territory? A Yes sir.
Q Now, about your uncle, Zedec. Did he ever marry? A Yes sir, he married in Alabama.
Q Who did he marry? A I don't know. He married a white woman.
Q Did they have any children? A Yes sir, they had four.
Q Do you know the names of these children? A Yes sir.
Q Give them, please? A Turner, John and William, they were twins, and Olivia. They all died right there.
Q During their childhood? A Well, the oldest one was about nineteen.
Q Were any of the children married at the time of their death?
A No, the oldest was nineteen, and the other boys were about fifteen. The mother and daughter sold their lands and went to Texas.
Q Now, about Turner. Did he ever come to this country? A Yes sir.
Q Was he married? A He married in Alabama and his wife died there. He came here a widower.
Q Did he have any children? A No sir.
Q Did he remarry after he came to the Territory? A No sir, for he was a woman hater so I have been told.
Q About when did he come to the Territory? A Oh, I don't know. It was when I was a child.
Q When did your mother, Sophia, die? A Well, I came here in '50. It seems to me it is '52 or '53 she died.
Q In '52 or 3? A Yes sir.
Q Did you make a return trip to Alabama after you came out here?
A Yes sir, in '52.
Q How long did you stay at that time? A Well, I stayed two months.
Q Did you ever hear that you had any relatives living here in the Territory by the name of Hyden? A No sir.

Q Did you ever hear of any one by that name intermarrying into the Brashears family? A No sir, I never even heard the name before. The name is foreign to me.

By Mr. Bleakmore:

Q You had an uncle by the name of Turner Brashears, did you?
A Yes sir.
Q Do you know the year he died? A No sir, I don't know. He died before I came to this country.
Q Wasn't it about 1831? A I couldn't say.
Q Well, about how many years before you came here? A Well, I couldn't have any idea.
Q Now, did you ever see his wife? A No sir.
Q He was married was he? A Well, my mother has told me I saw her, but not of my own recollection.
Q Did he have any children? A No sir.
Q Had no children at all? A No sir.
Q Do you know that of your own knowledge, or are you testifying as to what your mother told you about it? A Well, a portion is what my mother told me, and a portion I know myself.
Q You were born in what year, Mrs. Harlan? A Well, I couldn't tell you, but you know the years. I am Seventy-seven years old. Will be seventy-eight next January.
Q You had an aunt by the name of Elizabeth Brashears? A Buckholt. Her maiden name was Brashears.
Q And a cousin by the name of Elizabeth? A Yes sir.
Q Now, were there any other Indians of the family of Brashears by the name of Elizabeth? Just these two in the whole family?
A That is all to my recollection.
Q Have you ever heard that any of the members of the family of Brashears removed at any time from Mississippi or Alabama either to Virginia or Tennessee? A Never.
Q Never heard of that? A No sir.
Q You may state whether or not you know the initials of your uncle Turner Brashears? A I only knew him as Turner.
Q You don't know whether he had any other givne name? A No sir, I don't know.
Q You don't know whether his name was R. T. Brashears? A No sir, my mother always called him brother Turner.
Q Are you acquainted with any of the Buckholts in the Indian Territory? A Yes sir.
Q Relatives of yours, are they? A Yes sir,
Q You say they are the descendants of Elizabeth Brashears?
A Yes sir.
Q Who was it that Elizabeth married, the elder Elizabeth, your aunt? A She married William Buckholts.
Q And the younger Elizabeth? A She married a man by the name of Moran.
Q Did the younger Elizabeth Buckholts move to the Indian Territory?
A No, she moved first to Texas, and afterwards I hears she moved to the Choctaw Nation, but knowing it I don't.
Q Are you older or younger than the younger Elizabeth Brashears?
A She is older than I.
Q About how many years? A I don't know.

Q Was she a grown woman when you was a child back in Alabama?
A Yes sir, she was.
Q Do you know whether or not she had any children? A I don't know.
Q Do you know as a matter of fact that she was married but one time, and to a man by the name of Moran? A I don't know of any other marriage.
Q Do you know as a matter of fact that she removed to the State of Texas? A Yes, she moved there, but then eventually moved to this country.
Q Now, do you know what year or about what year it was she removed here? A No sir, I do not.
Q Were you a small girl at that time, or were you grown at the time she moved from Sumpter County, Alabama? A Well, I was not a small girl. I suppose I might have been twelve years old.
Q Do you know as a matter of fact that Elizabeth Brashears who you say married a man by the name of Moran never did go to live in Virginia? A She never went to Virginia from Alabama.
Q Do you say as a matter of fact that she didn't go there from some other point? A No, I don't say she didn't.
Q Did you ever hear from her while you say she was in the State of Texas? A Did I ever hear from her?
Q Yes ma'am? A No sir.
Q Did you ever hear from her while you say she was in the Territory, Choctaw Nation? A Well, I only heard from her brother, William Buckholt, that she did come here to this country.
Q You say she had a brother by the name of William Buckholt?
A Yes sir.
Q I understood you to say a while ago that his name was Brashears?
A Well, the younger Elizabeth and the younger William Buckholt were brother and sister.
Q I want to ask you now about the one you said married a man by the name of Moran. I understood you to say that Mrs. Moran did move to the State of Texas, and subsequently to the Territory? A She did.
Q And she was your aunt was she? A No sir, she was my cousin.
Q Did she have a daughter by the name of Elizabeth? A I don't know.
Q So far as you have knowledge of the family history of the Brashears, there were only two whose given name was Elizabeth?
A As far as I know.
Q Were all the Brashears who lived in Alabama, so far as you know and so far as your knowledge of the family history is concerned, Indians, except the one man who you stated was a Scotchman?
A I don't know how you put that question to me. I don't understand it.
Q Well, I will put it another way. You may state the number of the family of Brashears that you know who were not Indians?
A Well, my grandfather, of course, was a Scotchman. He wasn't an Indian; he married an Indian.
Q Now, were there any others by the name of Brashears who resided in the locality where you were born, who were not Indians?
A I never knew any of them only this Alex. He was a cousin to my mother.
Q Was Alex an Indian? A Yes sir.

Q And so far as you know all the family of Brashears were Indians except your grandfather? A Grandfather and great-grandfather.
Q Do you know whether or not your grandfather had any brothers or sisters? A I don't know.
Q Do you know whether or not your great-grandfather lived in Sumpter County, Alabama, or in that vicinity? A I don't think he did; I don't know. I wouldn't be positive. I wouldn't testify as to that because I don't know where he lived. I was a little girl.
Q When you saw your grand-father? A Yes sir.
Q You never saw your great-grandfather? A I never saw my grandmother or my great grand-father or great-grandmother.
Q And so far as you have knowledge of the history of the family of Brashears in that locality in Alabama and Mississippi, there were only two by the name of Turner. Is that correct?
Q Yes, there was an uncle of mine and a cousin of mine.
Q Did you ever know a man back in that country at any time by the name of Basil Brashears or Basel Brashears? A Never.
Q You may state if you know by hearsay or otherwise the name of the wife of your uncle, Turner Brashears? A I don't know. Do you mean her maiden name?
Q Yes ma'am? A No, I don't know her maiden name.
Q Was she an Indian? A No sir, she was a white woman. He married her in Mobile.
Q Did you ever know of Turner Brashears or any of the family by that name, who lived in Yazoo County, Mississippi? A No sir, my uncle may have lived there, I couldn't tell you. He came to this country when I was very young.
Q Now, I hold here a document that purports to be a release or relinquishment of dower by the wife of R. Turner Brashears, which is recorded in book B at page 111 of the records of the court of Yazoo County, Mississippi, wherein it is recited, among other things, that R. Turner Brashears, late of Choctaw County, Mississippi, died intestate leaving three children, and reciting to the effect that inasmuch as the care of these infants will be left to one Thomas Everidge that the widow of R. Turner Brashears, who has an Indian name here (Ocaymitta), executes to Everidge the relinquishment of her dower interest in the lands of R. Turner Brashears. Do you know anything of that man?
A No sir.
Q Or of that woman who in this document purports to be his wife?
A No sir, don't know a thing.
Q You never heard of them? A No sir.
Q Now, do you know where Choctaw county, Mississippi, is in relation to the locality wherein you lived? A No, I don't without I had a map to look it up.
Q Do you know where Yazoo County, Mississippi, is? A No sir.

By the Commissioner:

Q Mrs. Harlan, do you know from family history whether or not Turner Brashears came direct from Alabama to the Indian Territory, or did he stop on the way, your uncle Turner?
A I don't know now. Well, I was small when he left there, and I don't know whether he tarried on the way or came direct from Alabama.

Q Did the younger Turner Brashears come out here, the son of Zedec?
A No sir, he died on Sucarnoochee River, Alabama.
Q And it was the elder one you testified came out here?
A Yes sir, my mother's brother.
Q Does your family history teach you at what time he came here to the Indian Territory? A No sir.
Q Was it before or after the treaty of 1830? A After.
Q Have you any idea how long after? A No sir.
Q I believe you stated that Turner Brashears, the elder, was married, but his wife died in Alabama before he left? A Yes sir.
Q Is that true? A Yes sir. He came to bid my mother good-bye, so she told me.
Q Well, is it a matter of family history that Turner Brashears stopped on the way to settle any length of time? A No, I don't know anything about that.
Q Well, didn't Turner have a brother that came to the Territory with him? A Not that I know of.
Q Well, didn't he have a brother come here? A He had a brother Vaughn here.
Q Did you ever hear it stated after Turner's death by Vaughn Brashears or some member of the family that Turner came direct here from Alabama? A I saw my uncle, Vaughn Brashears, in '51 or '52, and I inquired of him about this uncle. He didn't say how long ago he came, or when he came, but that he had come, and at that time when I asked him was dead. I asked him too if he had ever married, and he said "No, he was a woman hater". That is the way he said it, this old uncle of mine, an old gray-headed man.

By Mr. Bleakmore:

Q Did you ever know of any one who lived in the community where you lived by the name of Edmund McKinney? A Do you mean back in the old country?
Q Yes ma'am? A No sir, I never knew him.
Q Did you ever know any one by the name of A. A. Halsey?
A No sir.
Q Did you ever know of any woman in the vicinity where you lived in Alabama by the name of Ocaymitta? A No sir, there was very few lived there.
Q Did you know a man by the name of Thomas Everidge who lived in the community where you were raised in Alabama? A No sir, there is Everidges' up in this country, but I am not acquainted with them.
Q I am speaking now of your home in Mississippi or Alabama?
A No, I never knew them.
Q You didn't know any one by the name of Ocaymitta or Thomas Everidge? A No sir.
Q Would you say that your uncle, Turner Brashears, died after the year 1831? A I don't know when he died.
Q I said could you say? A No, I couldn't say. He died in this country before I came here.
Q You came here in '30? A Yes sir.
Q Have you any recollection as to the number of years before you came here that your uncle left his old home in Alabama?
A No sir, I don't really know where his home was.

Q You don't know then whether he lived in the immediate community where you were raised or not? A No, I don't.
Q Is it possible that your uncle lived in Choctaw County?
A I couldn't say.
Q There is a Choctaw County down there, isn't there? A I think there is a Choctaw County in Alabama, and I think it lies down in the direction of Mobile. It is a pine country since I come to think about it. I have heard them speak about making turpentine in Choctaw County.
Q You don't know as a matter of fact, of your own knowledge or from what you have been told as to your uncle, that he lived in Choctaw county? A I don't know what county.
Q And the only thing you know about his marriage is the information you received from your mother? A Yes sir, I was too small to have such things make much impression upon my mind. Well, gentlemen, I will tell more now. This brother of my mother, Turner Brashears, was a rich, young, foolish man. He went to Mobile and married a woman of not the nicest character. My mother's people wouldn't allow him to bring her home, and he was mother's youngest brother, so he brought her to our house. She tired of my uncle and started to leave; she was horse-back. He started to follow her. This was told me by my mother. She started back to Mobile horse-back, and he followed her and killed her. He came to tell mother good-bye, and his lawyer bonded him and he left there, and where he stopped I couldn't tell, but my uncle said he came here, but didn't state at what time. I don't know whether he stopped on the way or not. You know I have held that tragedy back in my accounts. My mother has told me about these things.

By the Commissioner:

Q Were any of your uncles or aunts ever born in Virginia to your knowledge? A My mother's brothers or sisters?
Q Yes? A No sir, my mother has always told me they were not.
Q Have any of your uncles or aunts ever lived in Missouri?
A No sir, my aunts didn't.
Q It is not a matter of family history? A No sir.
Q Is it a matter of family history that any of your aunts ever married anyone who was a Virginian, and went there to live?
A Not of my mother's sisters or brothers.
Q Have any of your cousins ever married Virginians and gone there to live? A Not that I know of.

(Witness excused.)

Lenora B. Ashton, as stenographer to the Commissioner to the Five Civilized Tribes, on oath states that she reported the testimony in the above entitled cause on the 3rd day of December, 1906, and that the above and foregoing transcript is a true and complete translation of her stenographic notes.

Lenora B. Ashton

Subscribed and sworn to before me this 4th day of December, 1906.

Chas E Webster
Notary Public.

7-5187.

Department of the Interior,
Commissioner to the Five Civilized Tribes.
Muskogee, Indian Territory, January 15, 1907.

In the matter of the application for the enrollment of Henry Pruitt, et al., as citizens of the Choctaw Nation.

APPEARANCES: A. C. Cruce, of the firm of Cruce, Cruce & Bleakmore, attorneys at law, Ardmore, Indian Territory, appears on behalf of the applicants.
No appearance on behalf of the Choctaw and Chickasaw Nations.

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EDWARD M. EVERIDGE, being first duly sworn, testified as follows:

EXAMINATION BY THE COMMISSIONER:

Q What is your name? A Edward M. Everidge.
Q How old are you Mr. Everidge? A Fifty-five years old.
Q What is your post office? A Grant.
Q Are you a citizen by blood of the Choctaw Nation? A Yes sir.
Q Where were you born? A In Kiamitia County, Choctaw Nation.
Q What is the name of your father and mother?
A Joel W. Everidge and Sophia Everidge.
Q Either of them living? A No sir, both dead.
Q Which one had Choctaw blood? A Both of them.
Q When did your father die? A He died May the 5th, 1901.
Q When did your mother die? A She died in '79, 1879.
Q How old was your father at the time of his death?
A He was about seventy-three years old.
Q How old was your mother at the time of her death?
A Don' t know.
Q You remember her? A Oh, yes; oh, yes.
Q How old would you judge her to be?
A Well, I couldn't tell you exactly how old she was, but then father was about two years older than she was.
Q When did your father come to the Choctaw Nation? A When he was three years old; well, he came here in 1832.
Q Came where? A Came to the Choctaw Nation from Mississippi.
Q What county was that in Mississippi? A Yazoo County.
Q Was he a beneficiary under Article Fourteen of the Treaty of 1830? A Did he draw land in Mississippi?
Q Yes sir? A No sir, he never drawed any land in Mississippi.
Q What was the name of your father's father? A Thomas Everidge.
Q Did he have any Choctaw blood? A No sir, white man.
Q What was the name of your father's mother? A She was a Brashears before she married Grandpa Everidge.

Q What was her full name? A Eve.
Q How much Choctaw blood did she have? A Half breed.
Q Do you know the name of her father and mother?
A I know the name of her father.
Q What was it? A Robert Turner Brashears.
Q Did he have any Choctaw blood? A No, he was a white man, Scotch man.
Q You don't know the name of Robert Turner's wife? A No sir.
Q Do you know the name of your mother's father? A Yes sir.
Q What was his name? A John Pulsom.
Q What was the name of your grandmother on your mother's side?
A I don't know; never saw her.
Q Did you ever see John Pulsom? A Yes sir.
Q Is he living? A Dead.
Q Did he die in the Choctaw Nation? A Yes sir, died in Blue County, Choctaw Nation.
Q How old was he at the time of his death? A I couldn't tell you about that; I don't know.
Q Did you ever see your grandfather and grandmother on your father's side? A On my father's side?
Q Yes? A I was quite small when my father's fathr died; I knew my grandmother well.
Q What was his name again? A Thomas Everidge.
Q And his wife was who? A Eve.
Q Did you ever see Robert Turner Brashears? A No sir.
Q Did you ever hear when he died? A No sir.
Q Did you ever know where he lived? A Oh, I suppose he lived in Mississippi, though what I tell you I don't know myself; from what they told me he lived in Mississippi.
Q Do you know what county? A It must have been in Yazoo County or along the Yazoo River; he lived close to my grandfather.
Q Do you know when your grandmother, Eve Everidge, died?
A Well, I don't remember the dates now.
Q Well, approximately, what year? A It must have been between '70 and '73, somewheres along in there.
Q About how old was she at the time of her death? A I couldn't tell you; I don't know.
Q How old would you judge her to be? A There wouldn't be any judging about it when she didn't know her age herself.
Q Well, would you think she was sixty, seventy or eighty years old?
A I expect she was seventy-five maybe when she died.
Q Where did she die? A Died at home in Kiamitia County. I live in three miles of where she died.
Q Do you know when she came to the Choctaw Nation?
A She came here in 1832 or 3.
Q Did you state that Robert Turner Brashears was an Indian or a white man? A He was a white man; Scotchman.
Q You don't know the name of Eve's mother? A No sir.
Q Did your grandmother, Eve Brashears, have any brothers and sisters? A Yes.
Q How many? A Well, I don't know just how many but then I know a few of them/ I used to hear her call the names of them.
Q Name those you know? A She had a brother by the name of Lewis and one named Ben, and she had a sister by the name of Elixabeth and one Isabelle; I believe she had one or two more, but I don't remember the names.

Q Did you ever hear how these children ranked in accordance to age?
A No sir.
Q Which one was the oldest? A I think my grandmother was the eldest child.
Q Who came next? A I don't have any idea.
Q Did you ever see any of the brothers or sisters of your grandmother? A I never saw a one of them. Well, I saw two of them, but they was by another woman. Great-grandpa Brashears was married twice.
Q What was his second wife? A She was Choctaw.
Q What was her name? A I couldn't tell you.
Q Which onesof the children were by this other woman?
A William and Tobias.
Q Those two you didn't name before? A I didn't name them before because they was only half brothers to my grandmother.
Q How much Choctaw blood did his second wife have?
A Full blood.
Q Are you acquainted with J. W. Hyden, Sallie Hyden and D. M. Hyden?
A I am acquainted with D. M. Hyden and Whit W. Hyden. I have seen J. W. Once; I never saw the other one, Mrs. Jackson.
Q You are not acquainted with Sallie Jackson? A Never met her.
Q Do you know Nancy J. Hood? A No, I don't know her.
Q Then the only one you are personally acquainted with is D. M. Hyden? A D. M. Hyden and Whit Hyden.
Q Whit Hyden isn't in this case? A Well, I am acquainted with Dave Hyden.
Q How long have you known Mr. Dave Hyden? A Oh, I don't know; I have known him seven or eight years, something like that.
Q Do you know who his mother and father were?
A I don't know them only what I have been told by me people; they said they were relation of ours.
Q What people of yours told you that? A Why, I heard my father say so, and my grandmother say they was kin to me.
Q You stated you had only been acquainted with Dave Hyden about five or six years? A I said maybe five or six years; it may have been longer than that.
Q Did you ever see his mother or father? A Never did.
Q Where were you living when you became acquainted with Dave Hyden?
A Kiamitia County, Choctaw Nation.
Q Well, how did the conversation ever arise between you and your father as to the relationship existing between yourself and the Hydens? A He just told us that when Whit Hyden proved up his right before the Choctaw Council that they was our kin folks.
Q Did he state how that relationship came about?
A By their grandmother being my grandmother's sister, Elizabeth Brashears before she married; also when the Buckholts went in before the Choctaw Council, the Supreme Court had the right then, and I was there at the Council and the Court, and he told me the Buckholts was a kin to us.
Q Don't you know as a matter of fact that the Buckholts are not related to this branch of the Brashears family?
A Well, certainly I knew it, but they was related. Old man Turner Brashears and Zedec Brashears was brothers.
Q What relation was Turner Brashears to Zedec Brashears?
A Brothers; that is what I have been told.
Q Does your knowledge of the family history extend to any of the descendants of Zedec Brashears? A No, I don't know nothing about it.

Q You don't know anything of that branch of the Brashears family?
A No.
Q Did you ever hear the names of Dave Hyden's mother and father?
A Yes.
Q What were they? A Elizabeth was the grandmother---
Q Now answer my question? A No, I don't know anything about his mother and father; just his grandfather and grandmother is all I have heard anything about.
Q His grandmother and grandfather on what side?
A Why, his grandfather was a Hyden, I suppose.
Q Now, answer my question. You have heard of his grandfather and grandmother on which side, his mother's or father's?
A His mother's.
Q Well, what was the name of his mother's father? A Why, I don't know his mother's father.
Q Do you know whether he was a white man or and Indian?
A Don't know anything about that; never heard.
Q Your father never told you anything about that? A No.
Q Now what was the name of his mother's mother, Dave Hyden's mother's mother, Dave Hyden's maternal grandmother?
A You want to know---
Q No, I just want the name of Dave Hyden's mother's mother?
A I don't know the name of Dave Hyden's mother's mother, unless it was Elizabeth Brashears; I don't know anything about his mother's mother.
Q Well, did you ever hear that one Elizabeth Brashears was related to Dave Hyden? A One Elizabeth Brashears?
Q Well, a woman by the name of Elizabeth Brashears?
Q The way I heard it was that Dave Hyden's grandmother was Elizabeth Brashears before she married John Hyden.
Q Can you trace that relationship down from Elizabeth to Dave Hyden? A No, I can't trace nothing.
Q Do you know whether or not Elizabeth Brashears ever removed to the Choctaw Nation, Indian Territory? A No sir, I don't know.
Q Do you know where she resided during her life time? A No sir, I do not.
Q Are you acquainted with Harriet N. Oakes? A I was.
Q Is she any relation to you? A My aunt; she is dead now.
Q Mother's or father's side? A My father's sister.
Q Did you hear Harriet Oakes testify before the Choctaw-Chickasaw Citizenship Court? A No sir.
Q Did you hear any of the testimony given before that court?
A Which court.
Q Choctaw-Chickasaw Citizenship Court? A No, never heard none.
Q Do you know when Elizabeth Brashears died? A Don't know nothing about that.
Q You don't know where she was born? A Don't know nothing about that.
Q Do you know how her age compares with your grandmother, Eve?
A Don't know anything about that either.
Q Do you know of a man by the name of Joe Fisher? A Yes.
Q Was he any relation to you? A No.
Q Where did this Joe Fisher you have reference to live?
A Well, Joe Fisher I don't know; Osborn Fisher I was acquainted with him, but I don't know anything about Joe Fisher.
Q Did you ever hear that Joe Fisher married Elizabeth Brashears, the sister of your grandmother? A No sir, never heard nothing about that.

Q Did you ever hear as a matter of family history that any of the Brashears lived in the State of Virginia? A No, never heard nothing about that either.
Q How old was your aunt, Harriet Oakes, at the time of her death?
A I will have to go home and get those family records before I tell you.
Q Now just give your opinion? A Well, it aint no use for me to give her age without those records; its no use to say about how old she was, but I could take the family records and tell you exactly how old she was.
Q When did she die? A Why, it has been a month ago I reckon something like that.
Q She was a very old woman when she died? A Very old; I would judge that aunt was about eighty-three or four years old; I would judge she was.
Q Does that family record you referred to show who Elizabeth married? A No sir, it is just a family record of Thomas Everidge and his family.
Q He is Harriet's father? A Yes sir.
Q Did you ever hear it said that Elizabeth Brashears, your grandmother's sister, died before the removal of your people to the Choctaw Nation? A No, I never heard anything said about that at all.
Q Would you believe that your aunt, Harriet Oakes, would have knowledge of that fact? A Oh, I don't have any idea about that.
Q Would she be in a position to have knowledge of that?
A I don't have any idea about that either.
Q Where was she born? A She was born in Mississippi.
Q When did she come to the Choctaw Nation?
A When grandfather and grandmother came here.
Q Did Harriet Oakes live right in the immediate community of your people in Mississippi? A Why, that was before I was born.
Q Well, is that a matter of family history? A I suppose she was a child when she moved from Mississippi; it would be quite reasonable to suppose she lived with her father, Thomas Everidge, being a child.
Q She would have known Elizabeth Brashears then?
A I don't know how about that whether she would have knowed her or not.

BY MR. CRUCE:

Q I understand from your testimony that you got the information from your father that your grandmother, Eve Brashears, had a full sister, Elizabeth Brashears, and that she married a man named Hyden? A That was what he was told; I don't know anythink about it.
Q You say you were present at the time Whit Hyden was admitted to citizenship in the Choctaw Nation? A Yes sir.
Q That was the occasion of your father telling you the relationship between yourself and Hyden? A Yes sir.
Q And that Whit Hyden was a brother of Dave Hyden, the applicant here? A Yes sir.
Q How have you ever held any official positions in the Choctaw Nation? A Yes sir.
Q What were they? A I been sheriff of my county two years, and I was circuit clerk nine years and county judge ten years.

Q Did your father hold any official position?
A He was supreme judge of the Choctaw Nation.

We want to introduce in this connection as a circumstance a copy of the Act of the Choctaw Council admitting Whit Hyden and his children, Frank Hyden, Maud Hyden, Leonard Hyden, Ida Hyden and Whit Hyden, Jr., Eula Hyden, Cleveland Hyden, Benjamin Hyden and Ruth Hyden. This Act was approved October the 31st, 1895, admitting these parties to citizenship in the Choctaw Nation.

(Witness excused.)

D. M. HYDEN, being first duly sworn, testified as follows:

EXAMINATION BY THE COMMISSIONER:

Q What is your name? A D. M. Hyden.
Q Your age and post office? A I am fifty years old; my post office is McGee.
Q You were before the Choctaw and Chickasaw Citizenship Court, were you not? A Yes sir.
Q You entered an appearance in that case? A Yes sir.
Q You were represented before the court in your case?
A Yes sir.
Q Were you present at the trial in your case? A Only part of the time.
Q Did you know Harriet Oakes? A No, I can't say I am personally acquainted with her.
Q You have seen her have you not? A Yes sir.
Q Did you see her at the time she testified before the Choctaw and Chickasaw Citizenship Court? A No sir.
Q Weren't you present when she gave her testimony?
A No sir, not at the trial when I was present; I was present at Tishomingo and also at Ardmore, and she was at another place if she was there; I don't know anything about it.

BY MR. CRUCE:

Q Do you mean the trial or the taking of the testimony?
A Well, that was taken at her house, I presume.

BY THE COMMISSIONER:

Q Were you acquainted with the facts to which she testified?
A No sir.
Q Did you ever claim any relationship to her? A Why, only through uncle Joel Everidge; she was his sister, I understood.
Q I believe you claim that you are a grand son of Elizabeth Brashears? A Yes sir.
Q Well, do you know who Elizabeth Brashears married?
A No sir, only from what I heard that Elizabeth Brashears married John Hyden.

Q Did you ever hear that she married Joe Foster? A No sir.
Q Did you ever hear that Elizabeth Brashears, who was the sister of Eve Brashears, was only married once, and that time to one Joe Foster? A No sir, I never heard it.
Q Didn't your attorneys advise you of the testimony given by Harriet Oakes? A Only that they had taken her testimony, but I never have seen it.
Q Didn't your attorneys tell you that Harriet Oakes testified before Judge Foote that her aunt, Elizabeth Brashears, was only married once, and that time to Joe Foster, and that she died in Mississippi in 1832? A I can't say that I have heard that; I don't think I have heard that to my recollection.
Q Are you acquainted with John R. Lawrence? A No sir. John R. Lawrence?
Q Yes, who lives at Ada? A Yes sir.
Q How long have you known him? A Some ten years, I suppose.
Q Do you know who his mother and father are? A No sir, I heard him testify at Ardmore.
Q You heard him testify? A Yes sir, also heard his brother testify there in the same case who was older than him; he had a family record.
Q Well, did you hear John R. Lawrence testify before the Citizenship Court that the husband of Elizabeth Brashears was Joseph Fisher, that they had two children, one by the name of Silas E. Fisher, and Mary Fisher, and that he was the son of Mary Fisher?

BY MR. CRUCE:

We except to that testimony for the reason that it is an indirect way or indirect effort to get into this case testimony that was taken in the Choctaw and Chickasaw Citizenship Court for the reason that on yesterday when we desired to introduce a copy of the testimony and copies of certificates taken in that court, we were denied the right. Second, we object to it because it is hearsay testimony and it would be an improper way to get the testimony given by the witness, Lawrence, into the trial of this cause.

BY THE COMMISSIONER:

Well, the only object of the Commissioner in asking this question was to find out the witnesses knowledge of certain people who are known to be relatives or descendants of the Brashears family through whom he claims.

A I heard him testify, but I can't say positive as to the testimony what it was; but I heard him testify.
Q Have you any knowledge of any relationship existing between John R. Lawrence and Elizabeth Brashears? A No sir.
Q You appeared before the Commissioner on November 13, 1906, at Ardmore, Indian Territory, and gave testimony relative to your case, did you not? A Yes sir.
Q At that time do you remember that the Commissioner requested you to see that evidence was furnished relative to the marriages of Cecil Smith, Henry Pruitt, A. M. Jackson and Mollie Hyden, intermarried applicants in this consolidated case?
A Yes sir, I remember that was the request you made to me.

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Q Well, since that time it does not appear that any evidence of marriage has been filed relative to these persons I just named, nor has any evidence been introduced showing whether or not they have been married in accordance with the laws, customs and usages of the Choctaw Nation? A There has been no testimony taken.
Q Did you notify the parties to whom I referred about this matter?
A Yes sir.
Q Do you know why it hasn't been furnished?
A No sir, I don't know; as a matter of fact I knew it could have been as I told you at that time, but I don't know why.

BY MR. CRUCE:

We object to that statement that they could have furnished it. We don't know whether they could have furnished it or not.

(Witness excused.)

Lenora B. Ashton, as stenographer to the Commissioner to the Five Civilized Tribes, on oath states that she reported the testimony in the above entitled cause on the 15th day of January, 1907, and that the above and foregoing transcript is a true and complete translation of her stenographic notes.

Lenora B. Ashton

Subscribed and sworn to before me this 16th day of January, 1907.

John E. Tidwell

Notary Public.

DEPARTMENT OF THE INTERIOR,

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

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ADA, INDIAN TERRITORY, JANUARY 30, 1907.

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IN THE MATTER of the application of Henry Pruitt et al. as citizens of the Choctaw Nation.

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APPEARANCES: W. R. Bleakmore, attorney at law, Ardmore, Indian Territory, appears on behalf of applicants.
No appearance on behalf of the Choctaw and Chickasaw Nations.

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JOSEPH R. LAWRENCE, being first duly sworn, testified as follows:

By the Commissioner:

Q What is your name ? A Joseph R. Lawrence.
Q Are you the Joseph R. Lawrence who is enrolled as J. R. Lawrence ? A Yes sir.
Q What is your age ? A 73.
Q What is your post office address ? A Ada.
Q What is the name of your father ? A David Lawrence.
Q What is the name of your mother ? A Mary Lawrence.
Q What is the name of your father's father ? A I cannot tell you that.
Q What is the name of your mother's father ? A Joseph Fisher.
Q What is the name of your mother's mother ? A Elizabeth Fisher.
Q Do you know the name of her mother ? A No sir.
Q Do you know the name of her father ? A Turner Brashears.
Q Do you know the name of the father of Turner Brashears ? A No sir.
Q Do you know the name of the mother of Turner Brashears ? A No sir.
Q Turner Brashears, your great grandfather, is as far back as you can trace your family history ? A Yes sir.
Q Where was Elizabeth Brashears, your grandmother, born ? A Mississippi I have been told.
Q Do you know what part of Mississippi ? A No sir, I do not.
Q When was she born ? A Cannot tell you that either.
Q Is she dead at the present time ? A Yes sir, she died before I was born.
Q Do you know how old she was when she died ? A No sir.
Q Did she die in Mississippi ? A Yes sir.
Q She lived and died in Mississippi ? A Yes sir.

Q You don't know about how old she was when she died, or about what time she died ? A No sir, I don't know a thing about that.
Q When was she married to Joseph Fisher ? A I don't know.
Q Was she ever married prior to her marriage to Joseph Fisher ? A I don't know; I never heard anything about it. I did see a record of her marriage once but it has been so long I have forgotten; I don't recollect the dates.
Q So far as you knew was Joseph Fisher the only husband Elizabeth Fisher has ever had ? A Yes sir, as far as I know.
Q You say she died before you were born ? A Yes sir.
Q Did you ever see your grandfather Joseph Fisher ? A Yes sir, lived with him.
Q Where ? A Down here close to Ft. Towson. My mother died when I was four years old, and my grandfather, Joseph Fisher, taken me then and I lived with him a little over eight years. There is where I found out all about my grandmother, Elizabeth Brashears, by living with him. After she died he married a Harrison - Zedick Harrison's sister and half sister to Eastman Lowman.
Q Well what time did Joseph Fisher leave Mississippi ? A I cannot tell you that. I think he left there in 1803, but I cannot say positive.
Q Did he come direct to the Indian Territory ? A Yes sir.
Q Always lived in the Indian Territory after his removal here ? A They always told me he emigrated out here with the Choctaws in 1833; that he located right there on Clear Creek six miles beyond old Doaksville; lived there and died there.
Q How long has he been dead ? A He died in 1852 or '53.
Q How long did you live with your grandfather ? A A little over eight years.
Q Your information relative to your grandmother, Elizabeth Brashears, was obtained from your grandfather Joseph Fisher ? A Yes sir, they had a family bible there. About a year before he died an uncle of mine, S. S. Fisher, taken me to raise the balance of the time. I came from Doaksville up here on Blue, which is known now as Nail Crossing, and about a year after I came up on Blue he died, Joseph Fisher. My uncle went down there then and he brought the family bible up there with him and kept it up there, and I was off at school when he died and after he died. Three or four years afterwards Osborne Fisher, who was D. O. Fisher, came down there to my aunts and she gave him the bible.
Q You say your uncle brought the bible down there ? A D. O. Fisher was his name.
Q How many children did Joseph Fisher and your grandmother, Elizabeth Brashears, have ? A They had four.
Q What were their names ? A Silas D. Fisher, and my mother, Mary, Rebecca and Narcissie were the four children.
Q They were all born in the State of Mississippi, were they? A Yes sir.
Q Did they afterwards remove to the Indian Territory ? A Yes sir, they all came to the Territory with their father and mother.
Q Are any of them living at the present time ? A No sir, they are all dead.

Q Were these four children that you speak of the only children that Elizabeth Brashears and Joseph Fisher had ? A Yes sir, that is my understanding, but you see he married the second time and had other children by the second marriage.
Q Elizabeth Brashears, though, was not the mother of anyone else except these four you mentioned ? A Yes sir.
Q Did you ever know of any other Elizabeth Brashears besides your grandmother ? A No sir, never heard of any.

By Mr. Bleakmore:

Q You were born in the Indian Territory, were you, Mr. Lawrence ? A Yes sir, I was born right shortly after they came here in this country.
Q How old were you, Mr. Lawrence, when your father died ? A I was about seven years old.
Q How old were you when your mother died ? A About four years old.
Q Have you any brothers or sisters, Mr. Lawrence ? A Yes sir, I have two brothers living.
Q Their names are what ? A Sidney Lawrence and Silas Lawrence.
Q Now is your brother Sidney Lawrence older or younger than you ? A Younger.
Q How much younger ? A Two years.
Q Do you know whether or not he was a witness in the case of Hyden et al. vs. the Choctaw Nation in the Citizenship Court ? A Yes sir, he was a witness.
Q He testified in that case that his grandmother's name was Isabella Brashears ? A Yes sir, he testified that.
Q He also swore in that case that his information was received from the family bible of an uncle: is that the bible to which you have referred in your testimony ? A Yes sir.
Q Now, Mr. Lawrence, do you know, as a matter of family history, how many Turner Brashears there were living in Mississippi and Alabama before the emigration of the Choctaws to the Indian Territory ? A No sir, I do not.
Q Do you know, as a matter of the history of your family, whether or not your ancestor to whom you refer removed here from Alabama or from Mississippi ? A I was always told that they came from Mississippi.
Q You understand, as a matter of family history, then, that you are not related to the Brashears who lived in the Choctaw Nation in Alabama, but are related to the Brashears who removed from Mississippi to the Indian Territory ? A Yes sir, that is the way I have always understood it.
Q Do you know whether or not your ancestor to whom you refer, Turner Brashears, ever lived in Yazoo County, Mississippi ? A I don't know what county; I don't know anything about that.
Q You never heard whether he lived in Choctaw County, Mississippi ? A No sir, I don't know anything about that.
Q Do you know the name of his father ? A No sir.
Q Do you know whether or not he was married more than one time ? A No sir.
Q Do you know the names of the children of Turner Brashears to whom you refer as your ancestor ? A They always told me two sisters; one was Elizabeth and the other Eve. Elizabeth married Fisher and Eve married Everedge.

Q Would you say, Mr. Lawrence, as a matter of fact from your family history, that they were the only two sisters? A That is all I ever heard of.

Q Mr. Lawrence do you pretend to say that you know the entire history of the family of Turner Brashears ? A No sir, I do not.

Q Is it possible that Turner Brashears was married more than one time in Mississippi ? A It could be; I don't know anything in the world about that.

Q As a matter of family history, Mr. Lawrence, did you ever hear of more than one Elizabeth Brashears ? A No sir.

Q The other witnesses in this case have testified as to the existence of another Elizabeth Brashears; you know nothing of her ? A No sir.

Q Mr. Lawrence are you acquainted with the family of Buckholts who were enrolled as citizens of the Choctaw Nation ? A Yes sir.

Q Do you know, either personally or as a matter of the family history, who the mother of William Buckholts' was ? A No sir; I have always heard that they claimed to be of the Brashears family, but I don't know it to be a fact; I don't know that it is a fact.

Q And as a matter of the family history you never heard of Isabella Brashears ? A No sir.

Q When your brother swore that she was your grandmother he was entirely mistaken about it so far as your information goes as to your family history ? A Yes sir.

Q He swore that he got that information out of the family bible and from what was told to him by his grandmother and grandfather ? A No; he didn't live with his grandmother and grandfather. When our mother died he went with Silas D. Fisher and lived with him, and I went with my grandmother. When my mother died my grandfather taken me and my uncle, Silas D. Fisher, who lived right close to where my father lived, he taken a half brother who was Jim Campbell, Henry and Sidney; and a half sister, who was Mrs. King, died a year or so ago, she taken Silas and kept him awhile.

Q Did you ever hear, as a matter of family history, that Robert Turner Brashears, or R. Turner Brashears, who lived in Yazoo County, Mississippi, had been married a number of times; that his last wife was an Indian woman by the name of O-ca-yamitta, and after the death of Robert Turner Brashears, and in the year 1831, she, O-ca-yamitta, executed a deed or an instrument which conveyed to one Thomas Everedge, who is described in that instrument as the son-in-law of Robert Turner Brashears, the dower interests that she, O-ca-yamitta, had in the land of Brashears as his wife in consideration of the effects with maintainance of certain of the children of Robert Turner Brashears had devolved upon Everedge; did you ever hear that ? A Never heard it until yesterday evening.

Q Now if an instrument of that kind existed introducing testimony here you say that you never heard anything about it ? A No sir.

Q You say that you don't know whether Robert Turner Brashears to whom you refer in your testimony had been married more than once ? A No sir; don't know anything about it.

Q Nor whether he had more than one set of children ? A No sir, don't know that either.

Q And you don't know whether the ancestor to whom you refer as Robert Turner Brashears resided in Mississippi or in the Choctaw Nation in Alabama ? A I always heard it was Mississippi.

Q You don't know what part of Mississippi ? A No sir.

Q You never heard the name of his wife ? A No sir.
Q You never heard of but one Elizabeth Brashears ? A No sir.
Q You never heard of but one Turner Brashears ? A No sir, not that I know of.
Q Do you know anything about the date of the death of Turner Brashears, as a matter of family history, when he died ? A No sir.
Q Do you know whether or not he had died before you were born ? A I suppose he was dead before I was born.
Q How old was your mother at the time of your birth, if you know ? A I cannot tell you.
Q You recollect her general appearance, don't you ? A No sir, I don't.
Q You cannot recollect anything ? A No sir.
Q Did you ever hear your grandfather say anything about how old your mother was ? A If I did I don't recollect it.
Q Did your grandmother die before or after the death of your mother ? A She died before my mother died.
Q How long before ? A I cannot tell you that; she died in Mississippi; my mother died in this country.
Q How old a man was your grandfather, Fisher, at the time that you knew him ? A I was six years old when he died.
Q When did he die ? A He died sometime in either '52 or '53.
Q He was 96 years old, then ? A Yes sir, I lived with him about eight or eight and a half years before he died. He died about a year or little over after I left there.
Q How long did he live in the Indian Territory - Do you know when he removed to the Indian Territory ? A They always told me he moved here in 1833.
Q That was about the time that you were born ? A I was born after that.
Q Short time after that ? A Yes sir.
Q Now do you know how long before his removal to the Indian Territory your grandmother had died ? A No sir.
Q You have information on that whether it had been a short time or a long time ? A It evidently had been sometime. My grandmother, the second wife of my grandfather Joseph Fisher, had children nearly grown.
Q After the death of your grandmother, Elizabeth Brashears, who died in Mississippi, your grandfather had married again ? A Yes sir.
Q And at your earliest recollection when you went to live with him he had grown children by the second marriage ? A Yes sir.

By the Commissioner:

Q How long did you live with your grandfather ? A Little over eight years.
Q How old were you at the time of the death of your grandfather ? A I was a little over 14 years old.
Q You stated that you never knew of any other Elizabeth Brashears besides your grandmother either in Mississippi or the Indian Territory ? A No sir.

(Witness dismissed)

Wm. L. Martin, stenographer to the Commissioner to the Five Civilized Tribes, upon oath states that he recorded the testimony in this cause, and that the above and

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Foregoing is a full, true and correct transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 2nd day of February, 1907.

Notary Public.

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O.L.J.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Henry Pruitt, et al., as citizens of the Choctaw Nation.

D E C I S I O N.

It appears from the record herein that on September 24, 1898, Henry Pruitt (thirty-one years of age) appeared before the Commission to the Five Civilized Tribes and made application for the enrollment of himself as a citizen by intermarriage of the Choctaw Nation, and for the enrollment of his wife, Nancy Pruitt, (twenty-six years of age), and his three minor children, John H. (ten years of age), Ernest A. (eight years of age), and Eula I. Pruitt (seven years of age), as citizens by blood of said nation; that on September 24, 1898, Cecil Smith, (twenty-four years of age), made application for the enrollment of himself as a citizen by intermarriage of the Choctaw Nation, and for the enrollment of his wife, Maud Smith, (twenty-one years of age), and his minor child, Mumford M. Smith (eight months of age), as citizens by blood of said nation; that on September 24, 1898, A. M. Jackson (fifty years of age) made application for the enrollment of himself as a citizen by intermarriage of the Choctaw Nation, and for the enrollment of his wife, Sallie Jackson (forty-eight years of age), and his four minor children, Oscar (eighteen years of age), Willie (fifteen years of age), Albert (thirteen years of age), and Bessie Jackson (ten years of age), as citizens by blood of said nation; that on September 24, 1898, application was made by J. W. Hyden (forty-six years of age) for the enrollment of himself and his four minor children, George (sixteen years of age), Cleveland (fourteen years of age), Maud (nine years of age), and Mollie Hyden (five years of age), as citizens by blood of the Choctaw Nation, and for the enrollment of his wife, Mollie Hyden (thirty-six years of age), as a citizen by intermarriage of said nation; that on September 24, 1898, application was made by D. M. Hyden (forty-two years of age) for the enrollment of himself and his four minor children, Sallie V. Hyden (fifteen years of age), Pearl M. Wilcoxson (thirteen years of age), Samuel M. Hyden (twelve years of age), and Garnett M. Hyden (seven years of age), as citizens by blood of the Choctaw Nation; and that on September 24, 1898, application was made by Nancy J. Hood (fifty-five years of age) for the enrollment of herself, her minor son, Edward Hood (twenty years of age), and her minor grandchild, Willie Mapes (eleven years of age), as citizens by blood of the Choctaw Nation.

On November 13, 1906, written application was filed for the enrollment of Marthy Wilcoxson as a citizen by blood of the Choctaw Nation under the provisions of the Act of Congress approved April 26, 1906 (34 Stats., 137).

It further appears from the record herein that on November 14, 1900, application was made to the Commission to the Five Civilized Tribes for the enrollment of Cecil Jackson Smith (born September 17, 1900) as a citizen by blood of the Choctaw Nation; that on May 23, 1901, application was made for the enrollment of Eddrie Beryl Jackson (born March 5, 1901) as a citizen by blood of said nation; that on November 19, 1901, application was made for the enrollment of Nancy Thwaites Hyden (born September 16, 1900) as a citizen by blood of said nation; and that on August 17, 1901, application was made for the enrollment of Claud Ray Wilcoxson (born August 7, 1901) as a citizen by blood of the Choctaw Nation.

It further appears from the records in the possession of the Commissioner to the Five Civilized Tribes that on September 9, 1896, in the case entitled "J. W. Hyden, et al., vs. Choctaw Nation" (1896 Choctaw Citizenship Docket, Case No. 1344), original application was made to the Commission to the Five Civilized Tribes, under the provisions of the Act of Congress approved June 10, 1896 (29 Stats., 321), for admission to citizenship in the Choctaw Nation of the applicants, Henry Pruitt, Nancy Pruitt, John H. Pruitt, Ernest A. Pruitt, Eula I. Pruitt, Cecil Smith, Maud Smith, A. M. Jackson, Sallie Jackson, Oscar Jackson, Willie Jackson, Albert Jackson, Bessie Jackson, J. W. Hyden, Mollie Hyden, George Hyden, Cleveland Hyden, Maud Hyden, Mollie Hyden, D. M. Hyden, Sallie V. Hyden, Pearl M. Hyden (now Wilcoxson), Samuel M. Hyden, Garnett M. Hyden, Nancy J. Hood, Edward Hood and Willie Mapes; and that on December 8, 1896, said Commission rendered its decision therein denying said application.

From this decision an appeal was taken to the United States Court for the Southern District of Indian Territory, which court, on December 21, 1898, in the case entitled "J. W. Hyden, et al., vs. Choctaw Nation", reversed the decision of said Commission, and admitted said applicants as citizens of the Choctaw Nation.

On December 17, 1902, the Choctaw and Chickasaw Citizenship Court, created under the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641), "set aside, annulled, vacated and held for naught" the aforesaid judgment of the United States Court for the Southern District of the Indian Territory.

Thereafter said cause was certified to said Choctaw and Chickasaw Citizenship Court for a trial de novo, and on November 28, 1904, said court, in the case entitled "J. W. Hyden, et al., vs. Choctaw and Chickasaw Nations" (Choctaw-Chickasaw Citizenship Court Case No. 48, Tishomingo Docket), "ordered, adjudged and decreed that the petition of the plaintiffs, J. W. Hyden, Mrs. Mollie Hyden, Cleveland Hyden, Maud Hyden, Mollie Hyden, Sallie Jackson, A. M. Jackson, Nancy Pruitt, or Nancy P. Pruitt, Henry Pruitt, John Henry Pruitt, Evans A. Pruitt, Eula Irine Pruitt, or Eula Irene Pruitt, Maud Smith, Cecil Smith, Oscar Jackson, Willie Jackson, Albert Jackson, Bessie Jackson, D. M. Hyden, Pearl Hyden, Sam Hyden, Garnett Hyden, M. J. Hood, Edward Hood, or Elwood Hood, Willie Mapes, or Willie Mopes. . . . . .be denied, and that they be declared not citizens of the Choctaw Nation, and not entitled to enrollment as such citizens, and not entitled to any rights whatever flowing therefrom".

On January 24, 1905, the Commission to the Five Civilized Tribes entered of record orders dismissing the applications for the enrollment of Mumford M. Smith, Cecil Jackson Smith, Eddrie Beryl Jackson, Nancy Thwaites Hyden, and Claud Ray Wilcoxson, for the reason that their parents, through whom they claimed their right to enrollment, had been denied by the Choctaw and Chickasaw Citizenship Court. On February 9, 1905, the application for the enrollment of George Hyden was dismissed for the reason that he failed to appeal to said Choctaw and Chickasaw Citizenship Court.

Under the regulations adopted by the Commissioner to the Five Civilized Tribes January 2, 1906, there were filed by Cruce, Cruce and Bleakmore, attorneys at law, Ardmore, Indian Territory, on April 2, 1906, petitions praying for the enrollment of Henry Pruitt, Mannie Jackson Pruitt, John Pruitt, Earnest A. Pruitt, Eula Irene Pruitt, A. M. Jackson, Sarah L. Jackson, Albert M. Jackson, and William D. Jackson as citizens of the Choctaw Nation, and on April 21, 1906, petitions were filed praying for the enrollment of J. W. Hyden, Mollie Hyden, Cleave Hyden, Maude Hyden, Mollie Hyden, Jr., Thwaites Hyden, D. M. Hyden, Sarah V. Hyden Byars, Pearl M. Hyden Wilcoxson, Samuel M. Hyden, Garnettè M. Hyden, Levi Byars, Ray Wilcoxen, Bud Wilcoxen, Nancy J. Hood, Ed Hood, Willie Gilliland, Cecil Smith, Maud Jackson Smith, Mumford M. Smith, Cecil Smith, Jr., Oscar E. Jackson, Edna Byrl Jackson and Bessie Jackson Shi as citizens of the Choctaw Nation.

All of the above petitioners are identical with the applicants for whom application was theretofore made for enrollment as citizens of the Choctaw Nation, with the exception of George Hyden, Levi Byars and Bud Wilcoxen. Levi Byars was born November 15, 1900, and Bud Wilcoxen was born February 23, 1903.

The record in this case shows that the applicants, D. M. Hyden, Nancy J. Hood, Sallie Hackson, and J. W. Hyden, are the children of Samuel Hyden, who was the son of John Hyden and one Elizabeth Brashears, who is alleged to have been a Choctaw by blood, who resided in the State of Mississippi; that Sallie W. Hyden, Pearl M. Wilcoxson, Samuel M. Hyden and Garnett M. Hyden are the children of said D. M. Hyden and Vicey Hyden (deceased), a non-citizen; that Claud Ray Wilcoxson is the son of Pearl M. Wilcoxson and William Wilcoxson, a non-citizen; that the applicant, Edward Hood, is the son of Nancy J. Hood and J. T. Hood (deceased), a non-citizen; that Willie Mapes is the daughter of Lenora Mapes (deceased) who was the daughter of said Nancy J. Hood and J. T. Hood; that Oscar Jackson, Willie Jackson, Albert Jackson, Bessie Jackson, Maud Smith and Nancy Pruitt are the children of the applicants, Sallie Jackson and A. M. Jackson; that John H. Pruitt, Ernest A. Pruitt and Henry Pruitt; that Mumford M. Smith and Cecil Jackson Smith are the children of the applicants, Maud Smith and Cecil Smith; that Eddrie Beryl Jackson is the daughter of the applicant, Oscar Jackson, and Georgia Bell Jackson, a non-citizen; and that George Hyden, Cleveland Hyden, Maud Hyden, Mollie Hyden and Nancy Thwaites Hyden are the children of the applicants, J. W. Hyden and Mollie Hyden.

It further appears from the record herein that Henry Pruitt claims his right to enrollment as a citizen by intermarriage of the Choctaw Nation by reason of his marriage under the laws of

the State of Texas, to the applicant, Nancy Pruitt; that Cecil Smith claims his right to enrollment as a citizen by intermarriage of said nation by virtue of his marriage to the applicant, Maud Smith; that A. M. Jackson claims his right to enrollment as a citizen by intermarriage of said nation by reason of his marriage to the applicant, Sallie Jackson; and that Mollie Hyden claims her right to enrollment as a citizen by intermarriage of said nation by reason of her marriage to the applicant, J. W. Hyden.

Upon an examination of the tribal rolls of the Choctaw Nation in the possession of this office it appears that the applicants, Nancy Pruitt, John H. Pruitt, Ernest A. Pruitt, Eula I. Pruitt, Maud Smith, Sallie Jackson, Oscar Jackson, Willie Jackson, Albert Jackson, Bessie Jackson, J. W. Hyden, George Hyden, Cleveland Hyden, Maud Hyden, Mollie Hyden, D. M. Hyden, Sallie V. Hyden, Pearl M. Wilcoxson, Samuel M. Hyden, Garnett M. Hyden, Nancy J. Hood and Willie Mapes, are identified upon the 1896 Choctaw Census Roll, opposite numbers 10618, 10620, 10623, 10624, 7411, 7410, 1412, 7413, 7414, 7415, 6187, 6188, 6191, 6190, 6189, 6192, 6193, 6 194, 6195, 6196, 6172 and 8936, respectively. The applicants, Henry Pruitt, Cecil Smith, A. M. Jackson and Mollie Hyden, are identified upon the 1896 Choctaw Census Roll, opposite numbers 14952, 15084, 14714, and 14675, respectively, enrolled thereon as citizens by intermarriage of the Choctaw Nation. The persons above mentioned were placed on the 1896 Choctaw Census Roll by the Choctaw Revisory Board in January, 1897.

It does not appear from the record herein or from the records in the possession of this office that the applicant, Edward Hood, has ever been enrolled by the Choctaw tribal authorities as a member of the Choctaw tribe, or admitted to Choctaw citizenship by any duly constituted authority.

The record in this case further shows that George Hyden and Sallie V. Hyden died prior to September 25, 1902.

Relative to the question whether or not the applicants herein are possessed of Choctaw blood, there has been submitted the testimony of J. W. Hyden, D. M. Hyden, Edward M. Everidge and Joseph R. Lawrence.

J. W. Hyden, on November 13, 1906, testified that he was fifty-four years of age, and the son of Samuel Hyden, a Choctaw by blood, and Nancy D. Hyden, a white woman; that Samuel Hyden was born in the State of Virginia, afterwards removing to the State of Missouri, and then to the State of Texas; that Samuel Hyden was the son of John Hyden, a white man, and Elizabeth Hyden (nee Brashears), a one-half blood Choctaw Indian; and that said Elizabeth Brashears was the daughter of Turner Brashears.

D. M. Hyden, on said date, also testified that he was fifty years of age, and that he did not know any of his family history other than that he understood that Elizabeth Brashears was his grandmother, and that Turner Brashears was her father.

On January 15, 1907, Edward M. Everidge testified that he was fifty-five years of age and the son of Joel W. Everidge, a Choctaw by blood, who died in 1901, at the age of seventy-three, and Sophia Everidge, also a Choctaw by blood, who was born in about the year 1830; that Joel W. Everidge was the son of Thomas Everidge, a white man, and Eve Brashears, a one-half blood Choctaw Indian, who died between the years 1870 and 1873; and that said Eve Brashears was the daughter of R. Turner Brashears, a white man. Said

witness further testified that Eve Brashears had two full borthers and two full sisters, whose names were Elizabeth, Lewis, Ben and Isabelle; that he had been acquainted with the principal applicants herein only a few years, and that only information he had relative to the question whether or not the applicants are possessed of Choctaw blood was a statement made to him by his father to the effect that they were related to him, witness' grandmother being a full sister of the grandmother of the principal applicants herein.

Joseph R. Lawrence, on January 30, 1907, testified that he was seventy-three years of age, and was born in the Indian Territory; that he was the son of David Lawrence and Mary L. Lawrence; that Mary L. Lawrence was the daughter of Joseph Fisher and Elizabeth Fisher, the latter being a daughter of Turner Brashears; that Elizabeth Fisher (nee Brashears) was born in Mississippi and died there prior to the witness' birth; that she had four children by her husband, Joseph Fisher, whose names were Silas D., Mary L., Rebecca and Narcissie; that he was personally acquainted with Joseph Fisher, the husband of Elizabeth Fisher, having resided with him in the Indian Territory for a period of eight years, said Joseph Fisher dying when the witness was fourteen years of age; and that at no time had he ever heard that Elizabeth Fisher (nee Brashears) had ever been married to any one other than Joseph Fisher, or that she had ever had any children other than those above mentioned. Said witness further testified that it was his understanding from family history that Turner Brashears had two daughters, one named Elizabeth, who was his grandmother, and one named Eve, who married an Everidge.

I am of the opinion that the evidence establishes that the applicants herein are not descendants of the Elizabeth Brashears who was the daughter of Turner Brashears, and that they are not possessed of Choctaw blood?

I am further of the opinion that the applicants herein who were enrolled upon the 1896 Choctaw Census Roll as citizens by blood of the Choctaw Nation were placed thereon without authority of law; and that their names should be stricken therefrom, under the provisions of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

I am further of the opinion that the applications for the enrollment of Nancy Pruitt, John H. Pruitt, Ernest A. Pruitt, Eula I. Pruitt, Maud Smith, Sallie Jackson, Oscar Jackson, Willie Jackson, Albert Jackson, Bessie Jackson, J. W. Hyden, Cleveland Hyden, Maud Hyden, Mallie Hyden, D. M. Hyden, Pearl M. Wilcoxson, Samuel M. Hyden, Garnett M. Hyden, Nancy J. Hood, Edward Hood and Willie Mapes as citizens by blood of the Choctaw Nation, and the petitions herein in so far as they apply to said applicants, should be denied, under the provisions of the Acts of Congress approved June 28, 1898 (30 Stats., 495), and July 1, 1902 (32 Stats., 641), and it is so ordered.

I am further of the opinion that the orders of the Commission to the Five Civilized Tribes of January 24, 1905, and February 9, 1905, dismissing the applications for the enrollment of Mumford M. Smith, Cecil Jackson Smith, Eddrie Beryl Jackson, George Hyden, Nancy Thwaites Hyden and Claud Ray Wilcoxson, as citizens by blood of the Choctaw Nation should be rescinded, and that the applications for the enrollment of all of said applicants, with the exception of George Hyden, and the petitions herein in so far as they apply to said applicants, should be denied, under the provisions of the Acts of Congress approved June 28, 1898 (30 Stats., 495), and July 1, 1902 32 Stats., 641), and it is so ordered.

I am further of the opinion that the applications for the enrollment of Henry Pruitt, Nellie Hyden, Cecil Smith and A. M. Jackson as citizens by intermarriage of the Choctaw Nation, and the petitions herein in so far as they apply to said applicants, should be denied, under the provisions of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

I am further of the opinion that the petition for the enrollment of Levi Byars and Bud Wilcoxson as citizens of the Choctaw Nation should be considered as an application for their enrollment as citizens by blood of said nation under the provisions of the Act of Congress approved April 26, 1906 (34 Stats., 137), and that said applications should be denied under the provisions of said act, and it is so ordered.

I am further of the opinion that inasmuch as George Hyden and Callie V. Hyden died prior to September 25, 1906, their applications for enrollment as citizens by blood of the Choctaw Nation, and the petitions herein in so far as they apply to said applicants, should be dismissed, and it is so ordered.

I am further of the opinion that inasmuch as the application for the enrollment of Martha Wilcoxson as a citizen by blood of the Choctaw nation was not made within the time limited by Section Two of the Act of Congress approved April 26, 1906 (34 Stats., 137), I am without authority to receive or consider any application for enrollment as such; that I should decline to receive the same, and it is so ordered.

(signed) TAMS BIXBY,

Commissioner.

Muskogee, Indian Territory,

Feb. 25, 1907.

V R L

Land.
39452-1909
J E D

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS, GR
WASHINGTON. May 29 1909

Enrollment case of
J. W. Hyden et al.

The Commissioner
to the Five Civilized Tribes,
Muskogee, Oklahoma.

Sir:

There is transmitted herewith a letter dated May 16, 1909, from Sarah L. Jackson, who claims a right to enrollment as a citizen of the Choctaw Nation. She requests information as to whether her case is analogous to that of John E. Goldsby (211 U. S. 249). You are requested to furnish a report concerning her case, following the general instructions contained in Department letter of March 15, 1909 (File 5-51).

Very respectfully,

C. F. Hauke
Chief Clerk.

MCMeC-27
1581

D 909-1908

Muskogee, Oklahoma, June 18,1909.

Subject:

Enrollment case of
J. W. Hyden et al.

The Honorable,

The Commissioner of Indian Affairs,

Sir:

Receipt is hereby acknowledged of Indian Office letter of May 29, 1909 (Land 39491-1909. J E B) inclosing, for report, letter of May 18, 1909, from Sarah L. Jackson, who claims a right to enrollment as a citizen of the Choctaw Nation, and desires information as to whether her case is analogous to that of John R. Goldby (211 W. S. 269).

Report is requested, following the general instructions contained in Departmental letter of March 15, 1909 (72Ih 8-61).

Reporting in this matter I have the honor to advise that it appears from the records of this office that on September 9, 1896, original application was made to the Commission to the Five Civilized Tribes, in the cause entitled J. W. Hyden et al. vs. the Choctaw Nation, 1896 Choctaw Citizenship Case Number 1344, for admission as citizens of the Choctaw Nation of the applicants, Henry Pruitt, Nancy Pruitt, John H. Pruitt, Ernest A. Pruitt,

Eula I. Pruitt, Cecil Smith, Maud Smith, A M Jackson, Sallie Jackson, Oscar Jackson, Willie Jackson, Albert Jackson, Dennis Jackson, J. W. Ryden , Mallie Ryden, George Ryden, Cleveland Ryden, Maud Ryden, Mallie Ryden, B. M. Ryden, Sallie V. Ryden, Pearl M. Ryden (now Wilcoxson), Samuel M. Ryden, Garnett M. Ryden, Nancy J. Reed, Edward Reed and Willie Mapes; and that on December 8, 1898, said Commission rendered its decision denying this application.

From this decision an appeal was taken to the United States Court for the Southern District of Indian Territory, which court, on December 21, 1898, in the case entitled J. W. Ryden et al. versus the Choctaw Nation, reversed the decision of said Commission and admitted the applicants as citizens of the Choctaw Nation.

Pursuant to this judgment of the United States Court the persons named above made application to the Commission to the Five Civilized Tribes for the enrollment of themselves and their minor children, born since the date of the original application, as citizens of the Choctaw Nation under the provisions of the Act of Congress approved June 28, 1898 (30 Stat.,495).

December 17, 1902, the Choctaw and Chickasaw Citizenship Court, created under the provisions of the Act of Congress approved July 1, 1902 (32 Stat.,641), "set aside, annulled, reversed and held for naught" the judgment of the United States Court for the Southern District aforesaid, in the test case, entitled the

Choctaw and Chickasaw Nations or Tribes versus J. T. Riddle et al.

Subsequently this cause was certified to the Choctaw and Chickasaw Citizenship Court for a trial de novo and on November 28, 1904, in the case entitled J. W. Hyden et al. versus the Choctaw and Chickasaw Nations, Case Number 48 on the Tishomingo Docket, said Court ordered, adjudged and decreed that the petition of the plaintiffs be denied and that they be declared not citizens of the Choctaw Nation, and not entitled to enrollment as such citizens, and not entitled to any rights whatever flowing therefrom.

January 24, 1905, the Commission to the Five Civilized Tribes entered of record orders dismissing the applications for enrollment of Mumford M. Smith, Cecil Jackson Smith, Edris Beryl Jackson, Nancy Thwaites Hyden and Claud Ray Wilcoxson, for the reason that their parents, through whom they claimed the right to enrollment, had been denied by the Choctaw and Chickasaw Citizenship Court.

February 9, 1905, the application for the enrollment of George Hyden was dismissed by the Commission for the reason that he failed to take an appeal to the Choctaw and Chickasaw Citizenship Court.

Under the regulations adopted by the Commissioner to the Five Civilized Tribes January 2, 1900, there were filed by Grace, Grace & Richmond, attorneys at law, Ardmore, Indian Territory, on April 8, 1904, petitions praying for the enrollment of Henry

Pruitt, Nannie Jackson Pruitt, John Pruitt, Earnest A. Pruitt, Eula Irene Pruitt, A. M. Jackson, Sarah L. Jackson, Albert M. Jackson, and William D. Jackson, and on April 22, 1906, petitions were filed praying for the enrollment of J. W. Hyden, Mollie Hyden, Cleave Hyden, Maude Hyden, Mollie Hyden Jr., Thwaites Hyden, D. M. Hyden, Sarah V. Hyden Byars, Pearl M. Hyden Wilcoxen, Samuel M. Hyden, Garnette M. Hyden, Levi Byars, Ray Wilcoxen, Bud Wilcoxen, Nancy J. Reed, Ed Reed, Willie Hilliland, Cecil Smith, Maud Jackson Smith, Rumford M. Smith, Cecil Smith Jr., Oscar M. Jackson, Edna Byrl Jackson and Bessie Jackson Shi as citizens of the Choctaw Nation.

The names of Nancy Pruitt, John M. Pruitt, Ernest A. Pruitt, Eula I. Pruitt, Maud Smith, Sallie Jackson, Oscar Jackson, Willie Jackson, Albert Jackson, Bessie Jackson, J. W. Hyden, George Hyden, Cleveland Hyden, Maud Hyden, Mollie Hyden, D. M. Hyden, Sallie V. Hyden, Pearl M. Wilcoxen, Samuel M. Hyden, Garnett M. Hyden, Nancy J. Reed and Willie Hapes are identified upon the 1896 Census Roll of the Choctaw Nation as citizens by blood, and Henry Pruitt, Cecil Smith, A. M. Jackson and Mollie Hyden are identified upon the same roll as Choctaws by marriage, their names having been placed thereon by the Choctaw Revisory Board in January 1897.

February 25, 1907, the Commissioner to the Five Civilized Tribes rendered a decision denying the applications for the enrollment of all the persons included in this case and on the same

date the record in the case was transmitted to the Secretary of the Interior.

March 2, 1907 (Land 20936-1907) the Indian Office recommended the approval of the Commissioner's decision of February 25, 1907 and on March 4, 1907 (I T D 4398,5188, 6184,6298, 6952, 7112, 7450, 7452, 7456, 7464, 7484, 7496, 7664, 7688, 7692, 7706, 7710, 7722, 7726, 7732, 7740, 7750, 7756, 7818, 7570, 7832 - 1907) the Secretary of the Interior affirmed the decision refusing the applicants in the case of Henry Pruitt.

It appears that the person referred to in the application made to the Commission to the Five Civilized Tribes on September 9, 1896,as Sallie Jackson,and in the petition filed under the regulations adopted by the Commissioner to the Five Civilized Tribes January 2, 1906, as Sarah L. Jackson, is identical with the writer of the communication inclosed with Indian Office letter of May 29, 1909.

The records of this office do not show that any favorable decision was ever rendered in this case by the Department.

Inasmuch as these persons were not upon an approved roll of citizens of the Choctaw Nation no formal allotments were made to them.

In view of the holding of the Department on June 1, 1909, in the Chickasaw case of Joseph C. Moore et al. it is believed that this case is not analogous to that of John E. Goldsby (211 U.S.249)

Dawes

Land.
40641-1908
J R B

Choctaw enrollment claim
of Sarah L. Jackson.

The Commissioner
to the Five Civilized Tribes,
Muskogee, Oklahoma.

Sir:-

Referring to your report of June 18, 1908, relative to the claim of Sarah L. Jackson to enrollment as a citizen of the Choctaw Nation, you are advised that on June 30, 1908, the Department held that the case of the person mentioned was not analogous to that of John M. Goldsby, and did not come within the principles announced by the Supreme Court of the United States in its decision of November 23, 1908 in that case (211 U. S. 249), and therefore declined to take any action looking to the enrollment of Sarah L. Jackson as a citizen of the Choctaw Nation.

Copies of Office letter of June 25, 1908, and of Department letter of June 30, 1908, are enclosed for your further information. You are requested to notify the parties in interest.

Very respectfully,

(Signed) John Francis Jr
Acting Chief Clerk.

WCS-13
3098

(Copy)

2-19392

Jones
8261-1909
L B B

Enrollment case
of Henry Pruitt, et al.

JUN 23 1909

The Honorable

The Secretary of the Interior.

Sir:

There is transmitted herewith a report from the Commissioner to the Five Civilized Tribes, dated June 18, 1909, relative to the claim of Sarah L. Jackson to enrollment as a citizen of the Cherokee Nation. The person named was one of the applicants in the case of Henry Pruitt, et al.

It does not appear that the Department ever rendered any decision in favor of the applicants therein. The Office is of the opinion that the case is not analogous to that of John R. Goldsby, and does not come within the principles announced by the Supreme Court of the United States in that case (211 U. S. 249).

The Office therefore recommends that no action be taken by the Department looking to the enrollment of Sarah L. Jackson, or any of the other applicants in the case of Henry Pruitt, et al.

The records in the case is inclosed for your further information.

Very respectfully,

(Signed) R. G. Valentine
Commissioner.

Approved:
First Assistant Secretary.

SNW-22
2540

(SUPT).

ELB J. V. S.

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

E.7955 JUN 30 1909

Commissioner of Indian Affairs,

Sir:

Receipt is acknowledged of your letter of June 27, 1909, recommending that no action be taken looking to the enrollment of Sarah L. Jackson or any of the other applicants in the case of Henry Pruitt et al. as citizens of the Choctaw Nation.

I concur in your recommendation in so far as it relates to Sarah L. Jackson and the members of her immediate family, but deem it inadvisable to express any opinion as to the right to enrollment of any other person, inasmuch as the claim asserted by Mrs. Jackson in her letter of May 18, 1909, upon which present action is based, does not include all of the parties to the Pruitt case.

Very respectfully,

(Signed) Frank Pierce

First Assistant Secretary.

Muskogee, Indian Territory, January 18, 1901.

Mansfield, McMurray & Cornish,

Attorneys at Law,

South McAlester, Indian Territory.

Gentlemen:

The Commission is in receipt of your letter of the 15th instant in which you desire to be advised as to the status of Henry Pruitt, who claims to be an intermarried citizen of the Choctaw Nation.

In reply to your letter you are informed that the records of the Commission show that Henry Pruitt, 31 years of age, of Ardmore, Indian Territory, and his wife, Nancy Pruitt and their three minor children, are listed for enrollment as citizens of the Choctaw Nation, having been admitted to such citizenship by judgment of the United States Court for the Southern District of the Indian Territory rendered at Ardmore, December 22nd, 189?, in court case No. 141, Henry Pruitt being listed for enrollment as an intermarried citizen and his wife and children as citizens by blood of the Choctaw Nation.

Yours truly,

7-5187

Acting Chairman.

T-414
T-5137

Muskogee, Indian Territory, December 23, 1902.

E. F. Reeter,

Duncan, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of December 9, in which you state that John and Earnest Pruitt are trying to take your place away from you and you ask if they have a right in the Choctaw Nation.

In reply to your letter you are advised that it appears from our records that Henry Pruitt and his wife, Nancy Pruitt, and their minor children, John M., Earnest A. and Nola I. Pruitt, have been listed for enrollment as citizens of the Choctaw Nation, pursuant to a judgment of the United States Court for the Southern District of Indian Territory, rendered at Ardmore, Indian Territory, December 22, 1897, in court case, citizenship docket, No.141, but that said judgment has been declared null and void by the citizenship court created under the act of Congress approved July 1, 1902.

You are further advised that the Commission cannot at this time render any opinion relative to the rights of individuals to hold particular tracts of land in the Choctaw-Chickasaw country. Matters of this character will receive its consideration upon the

establishment of land offices in the Choctaw and Chickasaw Nations for the purpose of allowing the citizens of these two tribes to make selection of and file upon their prospective allotments.

Respectfully,

Acting Chairman.

Choctaw 5187

Muskogee, Indian Territory, December 24, 1904.

Furman, Middleman & Graham,

Attorneys at Law,

Ardmore, Indian Territory,

Gentlemen:

Receipt is hereby acknowledged of your letter of December 22, asking the status of the citizenship of Henry Pruitt and his family.

In reply to your letter you are advised that on November 28, 1904, the Choctaw and Chickasaw Citizenship Court rendered its decree denying the citizenship in the Choctaw Nation of Henry Pruitt and his family.

Respectfully,

Chairman.

7-5187

Muskogee, Indian Territory, April 10, 1906.

Sallie Reynolds,

Boswell, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of December 1[illegible], 1905, in which you ask if the name of your grandfather Henry Pruitt is found on the Choctaw roll.

In reply to your le ter you are advised that the information contained in your letter is not sufficient to enable this office to identify your grandfather Henry Pruitt upon any of the Choctaw rolls in the possession of this office.

The name of Henry Pruitt, now about thirty-nine years of age, is found on the 1896 census roll of the Choctaw Nation as an intermarried citizen of said nation, but it is not believed that this is the person to whom you refer.

Respectfully,

Acting Commissioner.

T.-8307.

Muskogee, Indian Territory, October 20, 1906.

Henry Pruitt,
Ardmore, Indian Territory.

Dear Sir:

You are hereby notified that before any further action can be taken in the matter of your application for enrollment as a citizen by intermarriage of the Choctaw Nation, it will be necessary for you to appear before a representative of the Commissioner to the Five Civilized Tribes at the Land Office at Ardmore, Indian Territory, on Friday, November 9, 1906, at nine o'clock A. M., for the purpose of giving testimony relative to your intermarried status on September 25, 1902. Evidence of your marriage should also be presented.

Respectfully,

Commissioner.

W-6107.

Muskogee, Indian Territory, October 30, 1906.

Gruhe, Gruse & Blakemore,
Attorneys at Law,
Ardmore, Indian Territory.

Gentlemen:

This office has this day notified Henry Pruitt of Ardmore, Indian Territory, that before any further action can be taken in the matter of his application for enrollment as a citizen by intermarriage of the Choctaw Nation, it will be necessary for him to appear before a representative of the Commissioner to the Five Civilized Tribes at the Land Office, at Ardmore, Indian Territory, on Friday, November 9, 1906, at nine o'clock A. M., for the purpose of giving testimony relative to his intermarried status on September 25, 1902, and that evidence of his marriage should also be presented.

Respectfully,

Commissioner.

7-5127.

Muskogee, Indian Territory, October 30, 1906.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations.

South McAlester, Indian Territory.

Gentlemen:

This office has this day notified Henry Pruitt, of Ardmore, Indian Territory, that before any further action can be taken in the matter of his application for enrollment as a citizen by intermarriage of the Choctaw Nation, it will be necessary for him to appear before a representative of the Commissioner to the Five Civilized Tribes at the Land Office at Ardmore, Indian Territory, on Friday, November 9, 1906, at nine o'clock A. M., for the purpose of giving testimony relative to his intermarried status on September 25, 1902, and that evidence of his marriage should also be presented.

Respectfully,

Commissioner.

T-3185.

Muskogee, Indian Territory, October 30, 1906.

Cecil Smith,

McGee, Indian Territory.

Dear Sir:

You are hereby notified that before any further action can be taken in the matter of your application for enrollment as a citizen by intermarriage of the Choctaw Nation, it will be necessary for you to appear before a representative of the Commissioner to the Five Civilized Tribes at the Land Office at Ardmore, Indian Territory, on Friday, November 9, 1906, at nine o'clock A. M., for the purpose of giving testimony relative to your intermarried status on September 25, 1902. Evidence of your marriage should also be presented.

Respectfully,

Commissioner.

7-8186.

Muskogee, Indian Territory, October 20, 1906.

Cruce, Cruce & Bleakmore,
Attorneys at Law,
Ardmore, Indian Territory.

Gentlemen:

This office has this day notified Cecil Smith of McGee, Indian Territory, that before any further action can be taken in the matter of his application for enrollment as a citizen by intermarriage of the Choctaw Nation, it will be necessary for him to appear before a representative of the Commissioner to the Five Civilized Tribes at the Land Office at Ardmore, Indian Territory, on Friday, November 9, 1906, at nine o'clock A. M., for the purpose of giving testimony relative to his intermarried status on September 25, 1902, and that evidence of his marriage should also be presented.

Respectfully,

Commissioner.

7-8186.

Muskogee, Indian Territory, October 30, 1906.

Mansfield, McMurray & Cornish,
Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

This office has this day notified Cecil Smith of McCoe, Indian Territory, that before any further action can be taken in the matter of his application for enrollment as a citizen by intermarriage of the Choctaw Nation, it will be necessary for him to appear before a representative of the Commissioner to the Five Civilized Tribes at the Land Office at Ardmore, Indian Territory, on Friday, November 9, 1906, at nine o'clock A. M., for the purpose of giving testimony relative to his intermarried status on September 25, 1902, and that evidence of his marriage should also be presented.

Respectfully,

Commissioner.

Muskogee, Indian Territory, November 30, 1906.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

In the matter of the application for the enrollment of Henry Pruitt, et al., as citizens by blood of the Choctaw Nation, you are hereby notified that on Monday, December 3, 1906, at nine o'clock A. M., the testimony of Sarah A. Harlan, of Blocker, Indian Territory, will be taken at the office of the Commissioner to the Five Civilized Tribes, at Muskogee, Indian Territory.

Respectfully,

Commissioner.

Muskogee, Indian Territory, November 30, 1906.

Sarah A. Harlan,

Blocker, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of November 20, 1906, wherein you state that you will be in Muskogee on Monday or Tuesday, December 3rd or 4th.

In reply thereto you are advised that on your arrival at Muskogee, you are requested to appear at the General Office of the Commissioner to the Five Civilized Tribes, at which time your testimony in the matter of the application for the enrollment of Henry Pruitt, et al., as citizens by blood of the Choctaw Nation, will be taken.

The attorneys for said applicants have this day been notified that said testimony will be taken on Monday, December 3, 1906, at nine o'clock A. M.

Respectfully,

Commissioner.

7-5187

Muskogee, Indian Territory, December 12, 1906.

W. R. Bleakmore,

Ardmore, Indian Territory.

Dear Sir:

In compliance with your request of December 5, 1906, there is inclosed herewith copy of the release of dower of Ocayemitta. There is also inclosed a copy of the testimony of Sarah A. Harlan of December 3, 1906 in the matter of the application of Henry Pruitt et al. for enrollment as citizens of the Choctaw Nation, together with receipt therefor which please sign and return to this office.

Respectfully,

Commissioner.

EB 2-12.

7-5187

Received of the Commissioner to the Five Civilized Tribes one copy of the testimony of Sarah A. Harlan of December 3, 1906, in the matter of the application of Henry Pruitt et al. for enrollment as citizens of the Choctaw Nation.

W R Bleakmore

Muskogee, Indian Territory,
December 12, 1906.

Received of the Commissioner to the Five Civilized Tribes copy of the testimony taken at Muskogee, Indian Territory, on January 15, 1907, in the matter ofthe application for the enrollment of Henry Pruitt, et al., as citizens of the Choctaw Nation.

Chas. H. Blessing

Muskogee, Indian Territory,
January 18, 1907.

7-5167.

Muskogee, Indian Territory, January 21, 1907.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

In the matter of the application for the enrollment of Henry Pruitt, et al., as citizens of the Choctaw Nation, you are advised that on January 30, 1907, at nine o'clock A. M., the testimony of John R. Lawrence will be taken at his home at Ada, Indian Territory.

It is especially requested that a representative of your firm be present at said hearing.

Respectfully,

Commissioner.

949
282

REFER IN REPLY TO THE FOLLOWING:

LAND
20956-1907.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON.

March 2, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed the record of proceedings in the matter of the application for the enrollment of Henry Pruitt, et al., as citizens of the Choctaw Nation, including decision of Commissioner Bixby, dated February 25, 1907, denying the petition for the enrollment of Nancy Pruitt, John H. Pruitt, Ernest A. Pruitt, Eula I. Pruitt, Maud Smith, Sallie Jackson, Oscar Jackson, Willie Jackson, Albert Jackson, Bessie Jackson, J. W. Hyden, Cleveland Hyden, Maud Hyden, Mollie Hyden, D.M. Hyden, Pearl W. Wilcoxson, Samuel M. Hyden, Garnett M. Hyden, Nancy J. Hood, Edward Hood, Willie Mapes, Mumford M. Smith, Cecil Jackson Smith, Edtric Beryl Jackson, Nancy Thwaites Hyden, and Claud Ray Wilcoxson, as citizens by blood; for the enrollment of Henry Pruitt, Mollie Hyden, Cecil Smith, and A. M. Jackson, as citizens by intermarriage; denying the application for the enrollment of Levi Byars and Bud Wilcoxson as citizens; and dismissing the application and petition for the enrollment of George Hyden and Sallie V. Hyden, and declining to receive the application for the enrollment of Marthy Wilcoxson, as citizens by blood of the Choctaw Nation.

The decision of the Commissioner has been examined, is found to be correct, and its approval is recommended.

Very respectfully,

C F Lawrence.

Acting Commissioner.

KEM-LG..

REFER IN REPLY TO THE FOLLOWING:

C-112

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, February 25, 1907.

A. M. Jackson,

Mill Creek, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Citlized Tribes, rendered February 25, 1907, denying the application and petition for your enrollment as a citizen by intermarriage and for the enrollment of Sallie Jackson, Oscar Jackson, Willie Jackson, Albert Jackson, Bessie Jackson and Eldrie Beryl Jackson as citizens by blood, of the Choctaw Nation.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Commissioner.

Registered.
Incl. C-112.

EMPTY

NEW BORN

190

IN RE

Application for Enrollment of

MINOR CHILD

Act of Congress Approved April 26, 1906.

Ethel Shockley Jones

as a citizen of

CHOCTAW

..... Nation.

Approved..... 190...

.....

Commissioner.

Born Oct. 25 1901

DEPARTMENT OF THE INTERIOR
COMMISSIONER TO THE FIVE CIVILIZED TRIBES

FILED

AUG 11 1906

COMMISSIONER.

Card Dec

CHOCTAW

7-5789

JUL 25 1906

BIRTH AFFIDAVIT. 199

DEPARTMENT OF THE INTERIOR.

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

ENROLLMENT OF MINORS. ACT OF CONGRESS, APPROVED APRIL 26, 1906.

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation,
of Ethel Shockley (Here insert name of child) born on the 25 day of Oct 1891

Name of Father: William Shockley a citizen of the Choctaw Nation.

Name of Mother: Elzora Shockley a citizen of the Choctaw Nation.

Tribal enrollment of father Ms Tribal enrollment of mother Application pending

Postoffice Achen Springs I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, Indian Territory,
Southern District.

I, Elzora Shockley, on oath state that I am 39 years of age and a citizen by Intermarriage of the Choctaw Nation;
that I am the lawful wife of William Shockley, who is a citizen, by
Blood, of the Choctaw Nation; that a Female (Male or Female) child was
born to me on 25 day of Oct 1891; that said child has been named
Ethel Shockley and was living March 4, 1906.

Elzora Shockley

WITNESSES TO MARK:

[Must be Two Witnesses] .....
.....

Subscribed and sworn to before me this 10th day of July 1906.

H H Lee Brown
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN OR MID-WIFE.

UNITED STATES OF AMERICA, Indian Territory,
.....District.

I, Mary Moore a midwife on oath state that I
attended on Elzora Shockley wife of William Shockley
on the 25 day of Oct 1891; that there was born to her on said date a Female (Male or Female)
child; that said child was living March 4, 1906, and is said to have been named Ethel Shockley

Mary Moore

WITNESSES TO MARK:

[Must be Two Witnesses] .....
.....

Subscribed and sworn to before me this 23rd day of July 1906.

J C Higgins
Notary Public.

My Commission expires Oct 27th 1908.

Muskogee, Indian Territory, September 25, 1901.

Mrs. Elzora Shockley,

Rush Springs, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of the 22nd instant requesting to be advised whether or not your name appears upon the Choctaw rolls and stating that you are the widow of William Shockley and the mother of Ethel Shockley, [redacted] years old, and you request to be advised as to the steps necessary for you to take to secure the enrollment of the other members of your family.

You are informed that the records of this office show that Elzora Shockley, 32 years of age and her daughter, Ethel, 7 years of age whose post office address was given as Cyril, Arkansas, were listed for enrollment as citizens of the Choctaw Nation, September 24, 1899 in pursuance of a judgment rendered by the United States Court for the Central District of the Indian Territory at South McAlester, Indian Territory, August 30, 1899, in court case number 225. It will be necessary that you state the names and ages of the other members of your family to whom reference is made in your letter before information as to the necessary steps for them to take to make application for enrollment can be furnished you.

M. S---k.

You request further to be advised whether or not Tom Sims is a citizen of the Choctaw Nation.

You are [redacted] that the records of this office do not show that any person by the name of Tom Sims has ever been listed for enrollment as a citizen of either the Choctaw or Chickasaw Nation.

Yours truly,

[redacted] in charge.

7-5189

7-5189.

COPY.

Muskogee, Indian Territory, May 24, 1906.

Elnora Shockley,

Rush Springs, Indian Territory.

Dear Madam:

You are hereby advised that the Commissioner to the Five Civilized Tribes on March 19, 1906, rendered his decision in the matter of the application for the enrollment of Mattie Shockley et al. as citizens of the Choctaw Nation, consolidating the applications of

Mattie Shockley, et al.,	7-5218
Lula West, et al.,	7-5191
Ephurian E. Shockley, et al.,	7-5189
Charles L. Shockley, et al.,	7-5188
Lenora Parker, et al.,	7-5190
Albert R. Shockley,	7-5193
Elnora Shockley, et al.,	7-5189
Pauline Shockley, et al.,	7-D-61.

By this decision the application made for the enrollment of yourself as a citizen by intermarriage and that of your minor daughter, Ethel Shockley, as a citizen by blood of the Choctaw Nation was denied.

Respectfully,

Wm. O. Beall.

Acting Commissioner.

7-6180

Muskogee, Indian Territory, May 22, 1906.

Ethel Jones,

Rush Springs, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of May 16, 1906, including marriage license and certificate between Joe Jones and Ethel Shockley which you offer in support of the application for the enrollment of your child Paul Jones and the same has been filed with eht record in the matter of the application for the enrollment of said child.

Respectfully,

Acting Commissioner.

D.C.M.
A.V.V.

J.W.M.
J.V.K.
W.S.P.
E.V.I.

File 8-51.

DEPARTMENT OF THE INTERIOR,

WASHINGTON.

March 1, 1909. 17077

Seal--Office of Ind. Affairs.
Rec. March 3, 1909.

The Commissioner

to the Five Civilized Tribes.

Sir:

January 25, 1909, you were advised that the names of certain persons were inadvertently included in Departmental letter of January 19, 1909 (File 8-51); that such mistake was due to the fact that it was supposed they were enrolled upon schedules approved by the Department, when in fact, the only schedule upon which their names appear were disapproved, and that no action should be taken under the circumstances looking to the erasure of interlineations or notations, if any, from the disapproved schedules, in connection with their names.

The names of the persons referred to in said letter of January 25, 1909, are as follows:

Cherokee by Blood.

Roll No.	
16103	Elizabeth Allen.
16112	George A. Bumgarner.
16110	Leutitia Crutchfield.
16106	Everett Crutchfield.

16111	George V. Crutchfield.
16105	Ida Crutchfield.
16107	Ima Crutchfield.
16108	Louvinia Crutchfield.
16109	William Crutchfield.
921	Josephine Lafleure Long.
922	Jake Lafleure Long.
16104	David Ritter,

It now appears from the records of the Secretary's Office that there was a schedule approved May 21, 1904, by the Secretary of the Interior, and that the approval then given was cancelled by said Secretary at a later date, to-wit, June 28, 1904.

The name of Elizabeth Allen appears upon the schedule which was approved May 21, 1904, opposite the number 15551. Ida Crutchfield's name appears opposite No. 15553, while the other members of the Crutchfield family were given the numbers immediately following that assigned to her.

You are requested to cause a report to be prepared showing whether the records of your Office also show that an earlier schedule containing the names of said persons was approved May 21, 1904; also whether such approval was cancelled June 28, 1904. Please report also the reason for the attempted cancellation, and whether prior notice was given thereof.

It appears further that, in connection with the names of Elizabeth Allen and the Crutchfield family on the roll approved May 21, 1904, the names of Ardella Richman, Ida M. Southard and Grover Randall are also to be found.

In connection with said names, it is desired that you

will report what action, in your opinion, should be taken concerning the first of said persons; also whether the said Ida M. Southard and Grover Randall, respectively, are identical with the Ida M. Southard whose names appears opposite No. 15880 in the printed rolls of citizens by blood of the Choctaw Nation, and the Grover Randall whose name appears on page 6 of Departmental letter of January 19, 1909 (File 5-51), opposite No. 15928.

As appears from the above list, there were other persons besides the said Allen and Crutchfields whose names were enrolled on schedules which were finally disapproved by the Department: for example, George A. Bumgarner, Josephine Laflore Long and Jake Laflore Long.

Please report whether the names of these persons appear upon any prior approved schedule; also why it was that the Commissioner to the Five Civilized Tribes enrolled them upon the schedule which was disapproved by the Department, showing whether the Commissioner enrolled them thereon, of his own motion, or under decision or instructions from the Department.

By comparison of the roll approved May 21, 1904, with the printed rolls of Choctaws by blood, the Department finds that the numbers appearing thereon opposite the names of said persons were subsequently assigned to other citizens of the Choctaw Nation; thereby the series of roll numbers was kept perfect, but a material portion of the rolls was evidently sacrificed upon the supposition that it had become worthless. Inquiry arises in this connection as to whether there were other approved schedules which were subsequently disapproved and

thrown aside. Accordingly, it is desired that you also cause a report to be prepared covering this feature of the matter, showing all persons embraced in similar cases, with recommendation as to what action should be taken as to them. This will necessitate a statement as to why their names were stricken or cancelled from the rolls, and whether such action was taken without prior notice.

There is still another matter concerning which the Department desires report to be made. It is observed that the words "No person enrolled at this number" are to be found not infrequently opposite consecutive numbers on the pages of the printed rolls; and you are requested to advise the Department whether such words were substituted for the names of individuals appearing on disapproved schedules, and if such is the case, whether such disapproved schedules were approved at any time by the Department; also whether favorable decisions were ever rendered by the Department as to such persons prior to their enrollment upon such disapproved schedules.

For the sake of expedition, a partial report should be rendered at once concerning the said Elizabeth Allen and the various members of the Crutchfield family named above. The other matters referred to herein can be disposed of by subsequent reports.

Very respectfully,

Jesse E. Wilson,

Assistant Secretary.

Through the
Indian Office.

5.

No. 294.

Department,
Wilson.
Washington, D.C.
March 1, 1909.

Calls attention to Departmental letter of Jan. 25, 1909, in regard to names of certain persons that were inadvertently included in Department letter of Jan. 19, 1906, Ida Crutchfield, et al.

Land

88226—08
17979-09
J B R

E B H
E B H

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS.

WASHINGTON, D.C.,——Mch 6 -09

Respectfully returned to the Commissioner to the Five Civilized Tribes, for appropriate action.

John Reynolds, Jr.
Acting Chief Land Division.

1 Letter
dated Mch. 1, 09.

D 301-1909

Muskogee, Oklahoma, April 14, 1909.

Subject:

Reporting on Departmental
letter of March 2, 1909,
as to case of Mattie Buckley,
et al. analogous to case
of Minerva F. Swadley, et al.

The Honorable,

The Secretary of the Interior.

Sir:

Receipt is hereby acknowledged of Departmental letter of March 2, 1909 (File 5-51) asking for reports on certain Choctaw cases analogous to the case of Minerva F. Swadley, et al. and directing that the report be made in the form of answers to questions one to five inclusive in Departmental communication of February 25, 1909, relative to Mattie L. Armstrong, and that instead of question six the report should state whether any attempt was made, directly or indirectly, to give notice of the rescinding of Departmental decision favorable to the applicants.

Reference is also made to Departmental letter of March 1, 1909 (File 5-51) asking for reports on the cases of all persons whose names appear on schedules of Choctaws and Chickasaws which were disapproved by the Department.

Secretary 2

I have the honor to state that the cause of Mattie Shockley, et al. (Lula West case) is one of the causes included in both Departmental letters above referred to, and to report therein as follows:

It appears from the records of this office that on September 9, 1896, in the case entitled F. K. West, et al. versus the Choctaw Nation, 1896 Choctaw Citizenship Case Number 955, original application was made to the Commission to the Five Civilized Tribes under the provisions of the Act of Congress approved June 10, 1896 (29 Stat., 321) for admission of the applicants, Mattie Shockley (as Mattie L. Shockley), Felix K. West (as F. K. West), Ava Shockley, Callie Shockley and Elzora Shockley as citizens by intermarriage of the Choctaw Nation, and John E. Shockley (as Eddie Shockley), Lula West, Roy West, Ephriam E. Shockley, Mattie Shockley, Leverett Shockley , Charles L. Shockley, Albert Shockley, Lenora Parker (as Nora Parker), Albert R. Shockley (as Albert Shockley) and Ethel Shockley as citizens by blood of the Choctaw Nation; that on December 5, 1896, the Commission admitted the above applicants as citizens of the Choctaw Nation.

From this decision an appeal was taken by the Choctaw Nation to the United States Court for the Central District of Indian Territory, which court, in case Number 226 on the Citizenship Docket, affirmed the decision of the Commission admit-

ting these applicants to citizenship in the Choctaw Nation.

On December 17, 1902, the Choctaw and Chickasaw Citizenship Court, created under the provisions of the Act of Congress approved July 1, 1902 (32 Stat., 641) "set aside, annulled, vacated and held for naught" the aforesaid judgment of the United States Court for the Central District of the Indian Territory. Thereafter the record in this case was certified to the Choctaw and Chickasaw Citizenship Court for a trial de novo, and this court, on March 21, 1904, in the case of F. E. West, et al. versus the Choctaw and Chickasaw Nations, Number 48 on the South McAlester Docket of said court, ordered, adjudged and decreed that all these applicants be denied and declared not citizens of the Choctaw Nation, and not entitled to enrollment as such citizens, or to any rights whatever flowing therefrom.

May 27, 1904, orders were entered of record by the Commission to the Five Civilized Tribes, dismissing the applications for the enrollment of Corine West, Elva May Sheckley, Herman Sheckley, Mamie Sheckley, Trever M. Parker, Lulie F. Parker and William Leslie Parker as citizens by blood of the Choctaw Nation for the reason that their parents had been denied enrollment by a decree of the Choctaw and Chickasaw Citizenship Court.

December 16, 1904, Lula West, one of the applicants in this case, forwarded a petition to the President, praying him

to cause an investigation to be made of the allegations contained in said petition, and if the same were found to be true, to cause her name to be placed upon the final roll of citizens by blood of the Choctaw Nation.

This petition was on February 15, 1905 (I T D 10383-1904) forwarded by the Department to the Commission to the Five Civilized Tribes with instructions to permit the petitioner to submit such testimony in support of her claim as she might see fit and enclosed a copy of an opinion of the Assistant Attorney General for the Department of the Interior of February 10, 1905, wherein it was held that said Commission had jurisdiction to examine into the claimants' cause, and should adjudicate it upon its merits, regardless of the judgment of the Choctaw and Chickasaw Citizenship Court.

A motion for review was filed with the Department by the Attorneys for the Choctaw and Chickasaw Nations, and on December 13, 1905 (I T D 4380-1905) the Department forwarded a copy of an opinion of the Assistant Attorney General for the Department of the Interior of December 6, 1905 (I T D 3688-1905), wherein he adhered to his former opinion rendered February 10, 1905, and held that Lula West having on January 9, 1890, been admitted to citizenship in the Choctaw Nation by the Secretary of the Interior, the Commission to the Five Civilized Tribes had no jurisdiction under the Act of Congress of

June 10, 1896, to pass upon her rights, and the United States Court for the Central District of Indian Territory, and the Choctaw and Chickasaw Citizenship Court on appeal were also without jurisdiction. Copies of this opinion were furnished the applicant, Lula West, and her attorney of record on December 23, 1905.

Under the regulations adopted by the Commissioner to the Five Civilized Tribes January 2, 1906, there was filed on January 22, 1906, by Thomas Hayman, of Ardmore, Indian Territory attorney for the petitioners, a petition verified by Lula West, and submitted on behalf of Lula West, F. K. West, Roy West, Marie West, Corine West, Elnora Shockley, Ethel Jones, nee Shockley, Charles L. Shockley, Callie Shockley, Albert Shockley, Herman Shockley, Minnie Shockley, Herbert H. Shockley, E. E. Shockley, Ava Shockley, Mattie Shockley, Lovcrett Shockley, Niva May Shockley, Pleasee Shockley, Pauline Daniel, nee Shockley, Albert Shockley, Mattie L. Osborn, nee Shockley, Eddie Shockley, Lenora Parker, nee Shockley, Treva Myrtle Parker, Leslie Franklin Parker, William Leslie Parker, and Albert R. Shockley, praying that they be enrolled as citizens of the Choctaw Nation.

All parties in interest were notified and a hearing was had in this cause March 5, 1906.

It appears from the record in this case that on July 15, 1889, on appeal from the adverse action of the Choctaw National Council, the United States Indian Agent, Lee E. Bennett, rendered a decision admitting John Shockley, now deceased, Mattie L. Shockley, William Shockley, now deceased, Elmore Shockley, Charles L. Shockley, Ephriam Shockley, Lula Shockley and Robert Shockley to Choctaw citizenship, said decision being on January 9, 1890, approved by the Secretary of the Interior.

The applicants contended that no such person as Robert Shockley existed; that this was an error and should have been Albert Shockley, now deceased, a son of John Shockley, the principle petitioner before the Indian Agent.

Upon an examination of the tribal rolls of the Choctaw Nation in the possession of this office, the names of John E. Shockley, Lula West, Ray West, Ephriam E. Shockley, Mattie Shockley, Charles L. Shockley and Albert Shockley are identified upon the 1893 Leased District Payment Roll of the Choctaw Nation, Chickasaw District, Numbers 501, 501, 502, 498, 499, 497 and 500 respectively.

March 19, ~~1945~~ 1946, the Commissioner to the Five Civilized Tribes rendered an opinion which rescinded the orders of the Commission to the Five Civilized Tribes of May 27, 1944, dismissing the applications for the enrollment of Sarina West, Elva May Shockley, Harmon Shockley, Mamie Shockley, Tommy H.

Secretary 7

Parker, Ludie F. Parker and William Leslie Parker, and, in accordance with the opinions of the Assistant Attorney General for the Department of the Interior of February 10, 1906 (I T D 10353-1904) and December 8, 1906 (I T D 3692-1906) in the case of Lula West (Loula West), held that John R. Shockley, Lula West, Roy West, Marie West, Corinn West, Ephriam E. Shockley, Mattie Shockley, Leverett Shockley, Elva May Shockley, Charles L. Shockley, Albert Shockley, Norman Shockley, Mamie Shockley, Albert R. Shockley and Albert P. Shockley should be enrolled as citizens by blood of the Choctaw Nation, and that Mattie Osborn, Ava Shockley, Callie Shockley and Pauline Shockley should be enrolled as citizens by intermarriage of said Nation, under the Acts of Congress approved June 28, 1898 (30 Stat., 496) and July 1, 1902 (32 Stat., 641).

The Commissioner further held that the applications made for the enrollment of Felix K. West and Elnora Shockley as citizens by intermarriage of the Choctaw Nation and the applications for the enrollment of Lenora Parker, Trevor H. Parker, Ludie F. Parker, William Leslie Parker and Ethel Shockley as citizens by blood of said nation should be denied under the provisions of the Act of Congress approved June 28, 1898.

The applicants, Elnorce Shockley and Herbert K. Shockley, not being the children of recognized and enrolled citizens by

blood of the Choctaw Nation whose enrollment had been approved by the Secretary of the Interior prior to March 3, 1905, the applications for their enrollment as citizens by blood of the Choctaw Nation were dismissed without prejudice.

May 4, 1906, notice of this decision was forwarded the parties in interest by registered mail, and on the same date the original record in this case, together with the decision of March 19, 1906, was transmitted to the Department.

May 9, 1906, Thomas Norman forwarded a statement of exceptions to the decision in this case, in so far as it pertained to certain persons who were denied therein, and requested that the same be transmitted to the Secretary of the Interior, which was done May 14, 1906.

December 22, 1906 (Land 40199, 42796-1906) the Indian Office recommended that thedecision of the Commissioner of March 19, 1906, be affirmed, and that, in the event the Department did affirm this decision, the Commissioner to the Five Civilized Tribes be directed to enroll the applicants, Plassee and Herbert E. Shockley, under Section two of the Act of Congress approved April 26, 1906 (34 Stat., 137). January 9, 1907 (I T D 25268-1906) the Secretary of the Interior affirmed the decision of the Commissioner to the Five Civilized Tribes of March 19, 1906, and directed that the office proceed with the adjudication of the claims of Plassee Shockley and

Secretary 9

Herbert H. Shockley under legislation enacted subsequent to the decision of March 19, 1906.

January 14, 1907 (I T D 25864-1906) this office was directed by the Department not to promulgate the decision of January 9, 1907 in this case and to return it at once direct to the Department as the parties in the case were not to be enrolled unless further advised by the Secretary of the Interior.

January 15, 1907 (I T D 818-1907) this office was advised, with reference to Departmental letters of January 9 and January 14, 1907, in the matter of the application for the enrollment of Mattie Shockley, et al. as citizens by blood of the Choctaw Nation, that, by direction of the President, the case would be submitted to the Attorney-General for his opinion and that no further action should be taken relative to these claimants until this office was further advised.

January 17, 1907, this office acknowledged receipt of Departmental letters of January 14, 1907 and January 15, 1907 and in conformity with the request of the Department, the communication of January 9, 1907, affirming the decision of the Commissioner to the Five Civilized tribes of March 19, 1906, in the Choctaw enrollment case of Mattie Shockley et al., together with the report of the Acting Commissioner of Indian

Affairs of December 22, 1906, was returned direct to the Department.

February 23, 1907 (I T D 4564-1907) this office was directed by telegram from the Department, which was subsequently confirmed by letter of the same date, to inspect the partial rolls of citizens of the Choctaw and Chickasaw Nations to determine what persons were enrolled thereon contrary to the views expressed by the Attorney-General in his opinion of February 19, 1907. The office was further advised in said telegram that decisions of the Department, based upon opinions of the Assistant Attorney-General in favor of claimants in certain cases, among which was Loula West, et al., were rescinded.

February 12, 1907, there were transmitted for the consideration of the Department, schedules of citizens of the Choctaw Nation, as follows:

Citizens by blood	Nos.16160 to 16174 inclusive
Citizens by marriage . . .	Nos. 1646 to 1649 inclusive
Minor citizens by blood..	Nos. 919 to 920 inclusive

These schedules were composed of the persons who had been admitted by the Commissioner to the Five Civilized Tribes in his decision of March 19, 1906, in the case of Mattie Shockley et al. and Herbert R. Shockley and Pleasee Shockley, whose names were scheduled without decisions in accordance with the provisions of the Act of Congress approved April 26, 1906.

Secretary 11

Inasmuch as the time within which persons could be enrolled and their enrollment approved by the Secretary of the Interior under the provisions of the Act of Congress approved April 26, 1906, was becoming very short, the schedules above described were prepared at this office without waiting for the opinion of the Attorney-General and were forwarded to the Department, in order that, if the opinion of the Attorney General were favorable to their contention, the rights of these applicants might be protected by the Department without delay.

February 27, 1907, referring to Departmental letter of February 23, 1907, authorizing this office to cancel the enrollment of the persons included in the case of Loula West, et al. this office ~~recommended~~ reported that the schedules above referred to had been transmitted to the Department on February 18, 1907, and recommended that the decision of March 19, 1906, be not approved and that the schedules containing the names of the persons included in this decision be disapproved by the Department.

February 26, 1907 (I T D 1408-1907) the Department, in view of the opinion of the Attorney-General of February 19, 1907, in the case of Loula West et al., rescinded its decision of January 9, 1907, in favor of the claimants in the case of Mattie Shockley et al. and reversed the decision of this of-

fice of March 19, 1906, favorable to the applicants.

March 1, 1907 (I T D 5680, 5684-1907) the Department advised this office that the schedules containing the names of the parties applicant in the case of Mattie Shockley et al. (Loula West case) had been disapproved. A report of the Indian Office of February 28, 1907 (Land 14776-1907) was also transmitted.

March 16, 1907, the parties in interest in this case were advised of the action of the Department reversing the decision of the Commissioner of March 19, 1906 as to the persons admitted therein and affirming it as to the persons denied by said decision.

Inasmuch as the persons included in this case were never upon the approved rolls no certificates of allotment were issued to them. Contests were filed by them, but were dismissed after the action of the Department in denying their applications.

I have further to report that it does not appear from the records of this office that any attempt was made, directly or indirectly, to give the above named applicants notice of the proceedings looking to the rescinding of the decision of the Secretary of the Interior in their case.

Inasmuch as the record in this case is very full and complete, and it is believed that the applicants could not

Secretary 13

add anything thereto, this office has not forwarded to them Notices as referred to in Departmental letter of March 15, 1909, relative to applications for restoration to citizenship status in the Five Civilized Tribes, and will withhold such action unless it is the wish of the Department that the same should be furnished these applicants.

However, if it is desired that the notices be forwarded, or if it is the wish of the Department that the parties applicant in cases of this character should be notified to have their attorneys submit written argument as to their contention that their case falls within the principles of the opinion of the Supreme Court in the Goldsby and Allison cases, this office will proceed to notify the applicants to this effect immediately upon their receipt of advice from the Department, and will make supplemental report after their replies have been received.

Respectfully,

Commissioner.

Through the Commissioner
of Indian Affairs.

AB

7-5189

Muskogee, Oklahoma, January 5, 1910.

Mrs. Elzora Shockley,

Rush Springs, Oklahoma.

Madam:

Referring to the Choctaw enrollment cases of Mattie Shockley, et al. and Lulu West, et al., you are advised that on December 7, 1909, the Department held that no further action could or should be taken looking to the enrollment of the applicants therein.

Respectfully,

Acting Commissioner.

MoM

5190

Choc 5190 Nora Parker

#2-3-4 Dismissed 5-27-1904

Dec 8, 1905 Dept letter holding commissioner now has jurisdiction to determine application

Decision rendered mar 19, 1906

Refused

Duplicate record bound

See Petition #C-16

March 1, 1909 Dept requests to report as to certain of the persons included in this case

April 14, 1909 report to Dept

Muskogee, Indian Territory, July 26, 1900.

Mr. W. J. Parker,

Kennedville, Indian Territory,

Dear Sir:

The Commission is in receipt of your letter of July 25th, in which you inquire concerning the enrollment of the Shockley family and in reply to your letter, you are advised that before the Commission can advise you in this matter, it will be necessary for you to furnish the full names of the parties concerning whom you inquire. Upon receipt of this information, the matter will receive further attention.

Yours truly,

Acting Chairman.

Muskogee, Indian Territory, August 7, 1900.

Mr. W. J. Parker,

Mandeville, Indian Territory,

Dear Sir:

Your letter of August 4th is received, in which you give names of the members of your family, and in reply thereto you are advised that Nora, Trever M. and Indie F. Parker have been listed for enrollment as citizens of the Choctaw Nation, pursuant to a judgment of the United States Court for the Central District of the Indian Territory, rendered at South McAlester, August 30th, 1897, in court Case Number 226. Nora Parker was admitted as Nora Shockley.

Yours truly,

Acting Chairman.

7-5194.

S-3190

Muskogee, Indian Territory, April 29, 1902.

W. J. Parker,
Skinnerville, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of William Leslie Parker, the infant son of W. J. and Lenora Parker, born April 14, 1902 and the same being in proper form has been duly filed with the records of the Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Commissioner in Charge.

7-5190

COPY.

Muskogee, Indian Territory, May 4, 1906.

Lenora Parker,

Muansville, Indian Territory.

Dear Madam:

You are hereby advised that the Commissioner to the Five Civilized Tribes on March 19, 1906, rendered his decision in the matter of the application for the enrollment of Mattie Shockley et al. as citizens of the Choctaw Nation, consolidating the applications of

Mattie Shockley, et al.,	7-5238
Lula West, et al.,	7-5191
Ephriam E. Shockley, et al.,	7-5109
Charles L. Shockley, et al.,	7-5188
Lenora Parker, et al.,	7-5190
Albert M. Shockley,	7-5193
Elzora Shockley, et al.,	7-5189
Pauline Shockley, et al.,	7-D-51.

By this decision the application of yourself and that of your minor children, Trever M., Ludie F. and William Lorlie Parker as citizens by blood of the Choctaw Nation was denied.

Respectfully,

SIGNED Wm. O. Beall

Acting Commissioner.

REFER IN REPLY TO THE FOLLOWING:
7-5190.

DEPARTMENT OF THE INTERIOR.
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, March 18, 1907.

Lenora Parker,

Mannsville, Indian Territory.

Dear Madam:

You are hereby advised that on February 23, 1907, in accordance with an opinion of the Attorney General of the United States of February 19, 1907, holding that the judgment of the Choctaw and Chickasaw Citizenship Court was final, the Department held that the persons whose names were included in the consolidated case of Mattie Shockley, et al., were not entitled to enrollment. The decision of the Commissioner to the Five Civilized Tribes of March 19, 1906, denying the application for the enrollment of yourself and your minor children, Trever M., Ludie F., and William Leslie Parker, as citizens by blood of the Choctaw Nation is therefore affirmed.

Respectfully,

Commissioner.

[redacted]

March 1, 1906. 17077

Seal—Office of Ind. Affairs.
Dept. March 8, 1906.

The Superintendent

to the Five Civilized Tribes,

Sir:

January 25, 1906, you were advised that the names of certain persons were inadvertently included in Departmental letter of January 19, 1906 (File S-H); that such mistake was due to the fact that it was supposed they were enrolled upon schedules approved by the Department, when in fact, the only schedule upon which their names appear were disapproved, and that no action should be taken under the circumstances looking to the erasure of interlineations or notations, if any, from the disapproved schedules, in connection with their names.

The names of the persons referred to in said letter of January 25, 1906, are as follows:

Cherokee by Blood.

Roll No.

14163 [redacted]
14213 [redacted]
14216 [redacted]
14254 [redacted]

[redacted]
[redacted]
[redacted]
[redacted]

1.

[illegible]	[illegible] Crutchfield.
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible] Long,
[illegible]	[illegible] Long.
[illegible]	[illegible] Ritter,

It now appears from the records of the Secretary's Office that there was a schedule approved May 21, 1904, by the Secretary of the Interior, and that the approval then given was cancelled by said Secretary at a later date, to-wit, June 28, 1904.

The name of Elizabeth Allen appears upon the schedule which was approved May 21, 1904, opposite the number 15551. Ida Crutchfield's name appears opposite No. 15552, while the other members of the Crutchfield family were given the numbers immediately following that assigned to her.

You are requested to cause a report to be prepared showing whether the records of your Office also show that an earlier schedule containing the names of said persons was approved May 21, 1904; also whether such approval was cancelled June 28, 1904. Please report also the reason for the attempted cancellation, and whether prior notice was given thereof.

It appears further that, in connection with the names of Elizabeth Allen and the Crutchfield family on the roll approved May 21, 1904, the names of Ardella Hickman, Ida E. Southard and Grover Randall are also to be found.

In connection with said names, it is desired that you

will report what action, in your opinion, should be taken concerning the first of said persons; also whether the said Ida M. Southard and Grover Randall, respectively, are identical with the Ida M. Southard whose name appears opposite No. 15869 in the printed rolls of citizens by blood of the Choctaw Nation, and the Grover Randall whose name appears on page 8 of Departmental letter of January 19, 1909 (File 5-51), opposite No. 15928.

As appears from the above list, there were other persons besides the said Allen and Crutchfields whose names were enrolled on schedules which were finally disapproved by the Department: for example, George A. Bumgarner, Josephine Laflore Long and Jake Laflore Long.

Please report whether the names of these persons appear upon any prior approved schedule; also why it was that the Commissioner to the Five Civilized Tribes enrolled them upon the schedule which was disapproved by the Department, showing whether the Commissioner enrolled them thereon, of his own motion, or under decision or instructions from the Department.

By comparison of the roll approved May 21, 1904, with the printed rolls of Choctaws by blood, the Department finds that the numbers appearing thereon opposite the names of said persons were subsequently assigned to other citizens of the Choctaw Nation; thereby the series of roll numbers was kept perfect, but a material portion of the rolls was evidently sacrificed upon the supposition that it had become worthless. Inquiry arises in this connection as to whether there were other approved schedules which were subsequently disapproved and

thrown aside. Accordingly, it is desired that you cause a report to be prepared covering this feature of the matter, showing all persons embraced in similar cases, with recommendation as to what action should be taken as to them. This will necessitate a statement as to why their names were stricken or cancelled from the rolls, and whether such action was taken without prior notice.

There is still another matter concerning which the Department desires report to be made. It is observed that the words "No person enrolled at this number" are to be found not infrequently opposite consecutive numbers on the pages of the printed rolls; and you are requested to advise the Department whether such words were substituted for the names of individuals appearing on disapproved schedules, and if such is the case, whether such disapproved schedules were approved at any time by the Department; also whether favorable decisions were ever rendered by the Department as to such persons prior to their enrollment upon such disapproved schedules.

For the sake of expedition, a partial report should be rendered at once concerning the said Elizabeth Allen and the various members of the Crutchfield family named above. The other matters referred to herein can be disposed of by subsequent reports.

Very respectfully,

Jesse E. Wilson,

Through the
Indian Office.

Assistant Secretary.

No. 294.

Department,
Wilson,
Washington, D.C.
March 1, 1909.

Calls attention to Departmental letter of Jan. [illegible], 1909, in regard to names of certain persons that were inadvertently included in Departmental letter of Jan. 19, 1909, Ida Crutchfield, et al.

[redacted]

[redacted]

[redacted]

[redacted]

[redacted], April 14, 1900.

[redacted]

The Honorable,

The Secretary of the Interior.

Sir:

Receipt is hereby acknowledged of Departmental letter of March 23, 1900 (File 6-61) calling for reports on certain Choctaw cases mentioned in the case of Elmorum F. Bradley, et al. and directing that the report be made in the form of answers to questions one to five inclusive in Departmental communication of February 28, 1900, relative to Mattie L. Armstrong, and that instead of question six the report should state whether any attempt was made, directly or indirectly, to give notice of the rescinding of Departmental decision favorable to the applicants.

Reference is also made to Departmental letter of March 1, 1900 (File 6-61) calling for reports on the cases of all persons whose names appear on schedules of Choctaws and Chickasaws which were disapproved by the Department.

Secretary 2

I have the honor to state that the case of Mattie Shockley, et al. (Louis West case) is one of the cases included in both Departmental letters above referred to, and to report thereon as follows:

It appears from the records of this office that on September 9, 1896, in the case entitled F. K. West, et al. versus the Choctaw Nation, 1896 Choctaw Citizenship Case Number 955, original application was made to the Commission to the Five Civilized Tribes under the provisions of the Act of Congress approved June 10, 1896 (29 Stat., 321) for admission of the applicants, Mattie Shockley (as Mattie L. Shockley), Felix F. West (as F. K. West), Ava Shockley, Callie Shockley and Elzera Shockley as citizens by intermarriage of the Choctaw Nation, and John K. Shockley (as Eddie Shockley), Lula West, Roy West, Ephriam E. Shockley, Mattie Shockley, Leverett Shockley , Charles L. Shockley, Albert Shockley, Lenora Parker (as Nora Parker), Albert R. Shockley (as Albert Shockley) and Ethel Shockley as citizens by blood of the Choctaw Nation, that on December 5, 1896, the Commission admitted the above applicants as citizens of the Choctaw Nation.

From this decision an appeal was taken by the Choctaw Nation to the United States Court for the Central District of Indian Territory, which court, in case Number 226 on the Citizenship Docket, affirmed the decision of the Commission admit-

ting these applicants to citizenship in the Choctaw Nation.

On December 17, 1902, the Choctaw and Chickasaw Citizenship Court, created under the provisions of the Act of Congress approved July 1, 1902 (32 Stat., 641) "set aside, annulled, vacated and held for naught" the aforesaid judgment of the United States Court for the Central District of the Indian Territory. Thereafter the record in this case was certified to the Choctaw and Chickasaw Citizenship Court for a trial de novo, and this court, on March 21, 1904, in the case of F. K. West, et al. versus the Choctaw and Chickasaw Nations, Number 4Ajon the South McAlester Docket of said court, ordered, adjudged and decreed that all these applicants be denied and declared not citizens of the Choctaw Nation, and not entitled to enrollment as such citizens, or to any rights whatever flowing therefrom.

May 27, 1904, orders were entered of record by the Commission to the Five Civilized Tribes, dismissing the applications for the enrollment of Corine West, Elva May Shockley, Herman Shockley, Mamie Shockley, Trever M. Parker, Indie F. Parker and William Leslie Parker as citizens by blood of the Choctaw Nation for the reason that their parents had been denied enrollment by a decree of the Choctaw and Chickasaw Citizenship Court.

December 16, 1904, Lula West, one of the applicants in this case, forwarded a petition to the President, praying that

to ensure an investigation to be made of the allegations contained in said petition, and if the same were found to be true, to cause her name to be placed upon the final roll of citizens by blood of the Choctaw Nation.

This petition was on February 15, 1906 (I T D 10884-1904) forwarded by the Department to the Commission to the Five Civilized Tribes with instructions to permit the petitioner to submit such testimony in support of her claim as she might see fit and enclosed a copy of an opinion of the Assistant Attorney General for the Department of the Interior of February 10, 1906, wherein it was held that said Commission had jurisdiction to examine into the claimants' cases, and should adjudicate it upon its merits, regardless of the judgment of the Choctaw and Chickasaw Citizenship Court.

A motion for review was filed with the Department by the Attorneys for the Choctaw and Chickasaw Nations, and on December 13, 1906 (I T D 6500-1906) the Department forwarded a copy of an opinion of the Assistant Attorney General for the Department of the Interior of December 8, 1906 (I T D 3693-1906), wherein he adhered to his former opinion rendered February 10, 1906, and held that Lula West having on January 9, 1900, been admitted to citizenship in the Choctaw Nation by the Secretary of the Interior, the Commission to the Five Civilized Tribes had no jurisdiction under the Act of Congress of

June 10, 1896, to pass upon her rights, and the United States Court for the Central District of Indian Territory, and the Choctaw and Chickasaw Citizenship Court on appeal were also without jurisdiction. Copies of this opinion were forwarded the applicant, Lula West, and her attorney of record on December 23, 1905.

Under the regulations adopted by the Commissioner to the Five Civilized Tribes January 2, 1906, there was filed on January 22, 1906, by Thomas Norman, of Ardmore, Indian Territory attorney for the petitioners, a petition verified by Lula West, and submitted on behalf of Lula West, F. K. West, Roy West, Marie West, Corine West, Elmera Shockley, Ethel Jones, nee Shockley, Charles L. Shockley, Callie Shockley, Albert Shockley, Herman Shockley, Mamie Shockley, Herbert E. Shockley, E. E. Shockley, Ava Shockley, Mattie Shockley, Leverett Shockley, Alva May Shockley, Plassee Shockley, Pauline Daniel, nee Shockley, Albert Shockley, Mattie L. Osborn, nee Shockley, Eddie Shockley, Lenora Parker, nee Shockley, Treva Myrtle Parker, Ludie Franklin Parker, William Leslie Parker, and Albert R. Shockley, praying that they be enrolled as citizens of the Choctaw Nation.

All parties in interest were notified and a hearing was had in this case March 5, 1906.

Secretary 6

It appears from the record in this case that on July 15, 1899, on appeal from the adverse action of the Choctaw National Council, the United States Indian Agent, Leo E. Bennett, rendered a decision admitting John Shockley, now deceased, Mattie L. Shockley, William Shockley, now deceased, Elmora Shockley, Charles L. Shockley, Ephriam Shockley, Lula Shockley and Robert Shockley to Choctaw citizenship, said decision being on January 9, 1890, approved by the Secretary of the Interior.

The applicants contended that no such person as Robert Shockley existed; that this was an error and should have been Albert Shockley, now deceased, a son of John Shockley, the principle petitioner before the Indian Agent.

Upon an examination of the tribal rolls of the Choctaw Nation in the possession of this office, the names of John E. Shockley, Lula West, Roy West, Ephriam E. Shockley, Mattie Shockley, Charles L. Shockley and Albert Shockley are identified upon the 1893 Leased District Payment Roll of the Choctaw Nation, Chickasaw District, Numbers 501, 581, 582, 498, 499, 497 and 500 respectively.

March 19, ~~1906~~ 1906, the Commissioner to the Five Civilized Tribes rendered an opinion which reminded the orders of the Commission to the Five Civilized Tribes of May 27, 1904, dismissing the applications for the enrollment of Serina West, Elva May Shockley, Herman Shockley, Minnie Shockley, Trevor M.

Parker, Ludie F. Parker and William Leslie Parker, and, in accordance with the opinions of the Assistant Attorney General for the Department of the Interior of February 10, 1903 (I T D 16383-1904) and December 8, 1903 (I T D 3693-1905) in the case of Lula West (Loula West), held that John H. Shockley, Lula West, Roy West, Marie West, Corine West, Ephriam H. Shockley, Mattie Shockley, Leverett Shockley, Elva May Shockley, Charles L. Shockley, Albert Shockley, Hurmum Shockley, Mamie Shockley, Albert R. Shockley and Albert P. Shockley should be enrolled as citizens by blood of the Choctaw Nation, and that Mattie Osborn, Ava Shockley, Callie Shockley and Pauline Shockley should be enrolled as citizens by intermarriage of said Nation, under the Acts of Congress approved June 28, 1898 (30 Stat., 495) and July 1, 1902 (32 Stat., 641).

The Commissioner further held that the applications made for the enrollment of Felix K. West and Elnora Shockley as citizens by intermarriage of the Choctaw Nation and the applications for the enrollment of Lenora Parker, Trever M. Parker, Ludie F. Parker, William Leslie Parker and Ethel Shockley as citizens by blood of said nation should be denied under the provisions of the Act of Congress approved June 28, 1898.

The applicants, Plannee Shockley and Herbert H. Shockley, not being the children of recognized and enrolled citizens by

blood of the Choctaw Nation whose enrollment had been approved by the Secretary of the Interior prior to March 3, 1906, the applications for their enrollment as citizens by blood of the Choctaw Nation were dismissed without prejudice.

May 4, 1906, notice of this decision was forwarded the parties in interest by registered mail, and on the same date the original record in this case, together with the decision of March 19, 1906, was transmitted to the Department.

May 9, 1906, Thomas Norman forwarded a statement of exceptions to the decision in this case, in so far as it pertained to certain persons who were denied therein, and requested that the same be transmitted to the Secretary of the Interior, which was done May 14, 1906.

December 22, 1906 (Land 40199, 42796-1906) the Indian Office recommended that thedecision of the Commissioner of March 19, 1906, be affirmed, and that, in the event the Department did affirm this decision, the Commissioner to the Five Civilized Tribes be directed to enroll the applicants, Plassee and Herbert E. Shockley, under Section two of the Act of Congress approved April 26, 1906 (34 Stat., 137). January 9, 1907 (I T D 25868-1906) the Secretary of the Interior affirmed the decision of the Commissioner to the Five Civilized Tribes of March 19, 1906, and directed that the office proceed with the adjudication of the claims of Plassee Shockley and

Secretary 4

Herbert E. Shockley under legislation enacted subsequent to the decision of March 19, 1906.

January 14, 1907 (I T D 5044-1906) this office was directed by the Department not to promulgate the decision of January 9, 1907 in this case and to return it at once direct to the Department as the parties in the case were not to be enrolled unless further advised by the Secretary of the Interior.

January 15, 1907 (I T D 818-1907) this office was advised, with reference to Departmental letters of January 9 and January 14, 1907, in the matter of the application for the enrollment of Mattie Shockley, et al. as citizens by blood of the Choctaw Nation, that, by direction of the President, the case would be submitted to the Attorney-General for his opinion and that no further action should be taken relative to these claimants until this office was further advised.

January 17, 1907, this office acknowledged receipt of Departmental letters of January 14, 1907 and January 15, 1907 and in conformity with the request of the Department, the communication of January 9, 1907, affirming the decision of the Commissioner to the Five Civilized tribes of March 19, 1906, in the Choctaw enrollment case of Mattie Shockley et al., together with the report of the Acting Commissioner of Indian

affidavit of December 22, 1906, was returned direct to the Department.

February 23, 1907 (I T D 4864-1907) this office was directed by telegram from the Department, which was subsequently confirmed by letter of the same date, to inspect the partial rolls of citizens of the Choctaw and Chickasaw Nations to determine what persons were enrolled thereon contrary to the views expressed by the Attorney-General in his opinion of February 19, 1907. The office was further advised in said telegram that decisions of the Department, based upon opinions of the Assistant Attorney-General in favor of claimants in certain cases, among which was Loula West, et al., were rescinded.

February 12, 1907, there were transmitted for the consideration of the Department, schedules of citizens of the Choctaw Nation, as follows:

Citizens by blood	Nos.16160 to 16174 inclusive
Citizens by marriage . . .	Nos. 1646 to 1649 inclusive
Minor citizens by blood..	Nos. 919 to 928 inclusive

These schedules were composed of the persons who had been admitted by the Commissioner to the Five Civilized Tribes in his decision of March 19, 1906, in the case of Mattie Shockley et al. and Herbert R. Shockley and Flossie Shockley, whose names were scheduled without decisions in accordance with the provisions of the Act of Congress approved April 26, 1906.

Secretary 11

Inasmuch as the time within which persons could be enrolled and their enrollment approved by the Secretary of the Interior under the provisions of the Act of Congress approved April 26, 1906, was becoming very short, the schedules above described were prepared at this office without waiting for the opinion of the Attorney-General and were forwarded to the Department, in order that, if the opinion of the Attorney General were favorable to their contention, the rights of these applicants might be protected by the Department without delay.

February 27, 1907, referring to Departmental letter of February 23, 1907, authorizing this office to cancel the enrollment of the persons included in the case of Loula West, et al. this office ~~recommended~~ reported that the schedules above referred to had been transmitted to the Department on February 12, 1907, and recommended that the decision of March 19, 1906, be not approved and that the schedules containing the names of the persons included in this decision be disapproved by the Department.

February 26, 1907 (I T D 1402-1907) the Department, in view of the opinion of the Attorney-General of February 19, 1907, in the case of Loula West et al., reconsidered the decision of January 9, 1907, in favor of the claimants in the case of Mattie Shockley et al. and reversed the decision of this of-

Secretary Hitchcock

filed on March 19, 1906, favorable to the applicants.

March 1, 1907 (I D 3660, 3684-1907) the Department advised this office that the schedules containing the names of the parties applicant in the case of Mattie Wheatley et al. (Devils Lake) had been disapproved. A report of the Indian Office of February 22, 1907 (Land 16778-1907) was also transmitted.

March 16, 1907, the parties in interest in this case were advised of the action of the Department reversing the decision of the Commissioner of March 19, 1906 as to the persons admitted therein and affirming it as to the persons denied by said decision.

Inasmuch as the persons included in this case were never upon the approved rolls no certificates of allotment were issued to them. Contests were filed by them, but were dismissed after the action of the Department in denying their applications.

I have further to report that it does not appear from the records of this office that any attempt was made, directly or indirectly, to give the above named applicants notice of the proceedings looking to the reversing of the decision of the Secretary of the Interior in their case.

Inasmuch as the record in this case is very full and complete, and it is believed that the applicants would not

[illegible] 28

[illegible] anything thereto, this office has not forwarded to them notices as referred to in Departmental letter of March 15, 1909, relative to applications for restoration to citizenship status in the Five Civilized Tribes, and will withhold such notice unless it is the wish of the Department that the same should be furnished these applicants.

However, if it is desired that the notices be forwarded, or if it is the wish of the Department that the parties applicant in cases of this character should be notified to have their attorneys submit written argument as to their contention that their case falls within the principles of the opinion of the Supreme Court in the Goldsby and Allison cases, this office will proceed to notify the applicants to this effect immediately upon [illegible] receipt of advice from the Department, and will make supplemental report after their replies have been received.

Respectfully,

Commissioner.

[illegible]
of Indian Affairs.

AS

D612

7-5190.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

---o---

COPY.

In the matter of the application for the enrollment of Trever M. Parker, Ludie F. Parker and William Leslie Parker as citizens by blood of the Choctaw Nation.

---o---

The applicants, Trever M. Parker, Ludie F. Parker and William Leslie Parker, claim their right to enrollment as citizens by bloodof the Choctaw Nation through their mother Nora Parker. The right of the applicants' mother, Nora Parker, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, March 21, 1904, in case No. 42, upon the South McAlester docket of said court, it is hereby ordered that the application of Trever Parker, Ludie F. Parker and William Leslie Parker for enrollment as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

(SIGNED)

Tams Bixby.
Chairman.

Muskogee, Indian Territory,

MAY 27 1904

REV [illegible]

-190

IN RE

Application for Enrollment of

MINOR CHILD

Act of Congress Approved April 26, 1906.

Grace Myrtle Parker

as a citizen of

CHOCTAW Nation.

Approved..... 190...

.....

Commissioner.

Born Feb. 26 1897

ACT OF CONGRESS APPROVED APRIL 26, 1906.

DEPARTMENT OF THE INTERIOR
COMMISSIONER TO THE FIVE CIVILIZED TRIBES

FILED

AUG 13 1906

[illegible] COMMISSIONER.

To be filed with
CHOCTAW
3190

RECEIVED

JUL 19 1906

BIRTH AFFIDAVIT 199

DEPARTMENT OF THE INTERIOR.

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

ENROLLMENT OF MINORS. ACT OF CONGRESS, APPROVED APRIL 26, 1906.

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation,
of Treva Myrtle Parker, born on the 26th day of February 1897.
[Here insert name of child]
Name of Father: Wm. I. Parker a citizen of the United States Nation.
Name of Mother: Lenora Parker a citizen of the Choctaw Nation.
Tribal enrollment of father.....Tribal enrollment of mother.....
Postoffice.....

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, Indian Territory,
Southern District.

I, Lenora Parker on oath state that I am 26
years of age and a citizen by blood of the Choctaw Nation;
that I am the lawful wife of William I. Parker, who is a citizen, by
birth of the United States Nation; that a female child was
[Male or Female]
born to me on 26th day of February 1897; that said child has been named
Treva Myrtle Parker and was living March 4, 1906.

X Lenora Parker

WITNESSES TO MARK:

[Must be Two Witnesses]

Subscribed and sworn to before me this 26th day of June 1906.

Fred J. Hurst
Notary Public

AFFIDAVIT OF ATTENDING PHYSICIAN OR MID-WIFE.

UNITED STATES OF AMERICA, Indian Territory,
Southern District.

I, Elizabeth Spry, a midwife, on oath state that I
attended on Lenora Parker, wife of Wm. I. Parker
on the 26th day of Feb. 1897; that there was born to her on said date a female
[Male or Female]
child; that said child was living March 4, 1906, and is said to have been named Treva Myrtle
Parker.

X Elizabeth her X Spry
mark

WITNESSES TO MARK:

[Must be Two witnesses]

W. F. Lewis
J. D. Duke

Subscribed and sworn to before me this 28th day of June 1906.

C. P. Duke J.P.
Notary Public.

For Cannon Co Tenn

NEW BOOK

IN RE

Application for Enrollment of

MINOR CHILD

Act of Congress Approved
April 26, 1906.

Ludie Franklin Parker

as a citizen of

CHOCTAW ..... Nation.

Approved..... 190...

.....

Commissioner.

Born July 31" 1899

ACT OF CONGRESS APPROVED APRIL 26, 1906.

DEPARTMENT OF THE INTERIOR
COMMISSIONER TO THE FIVE CIVILIZED TRIBES

AUG 13 1906

COMMISSIONER.

Ida Jane Smith

CHOCTAW

5190

JUL 19 1906

BIRTH AFFIDAVIT 199

DEPARTMENT OF THE INTERIOR.

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

ENROLLMENT OF MINORS. ACT OF CONGRESS, APPROVED APRIL 26, 1906.

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation,
of Ludie Franklin Parker, born on the 31st day of July 1899
[Here insert name of child]
Name of Father: Wm. I. Parker a citizen of the United States Nation.
Name of Mother: Lenora Parker a citizen of the Choctaw Nation.
Tribal enrollment of father..... Tribal enrollment of mother.....
Postoffice.....

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, Indian Territory,
Southern District.
I, Lenora Parker on oath state that I am 26
years of age and a citizen by blood of the Choctaw Nation;
that I am the lawful wife of Wm. I. Parker, who is a citizen, by
birth, of the United States Nation; that a male child was
[Male or Female]
born to me on 31st day of July 1899; that said child has been named
Ludie Franklin Parker and was living March 4, 1906.

× Lenora Parker

WITNESSES TO MARK:

[Must be Two Witnesses]

Subscribed and sworn to before me this 26th day of June 1906.

Thos. J. Hecte
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN OR MID-WIFE.

UNITED STATES OF AMERICA, Indian Territory,
Southern Judicial District.
I, Dr. A. V. Ponder a Physician on oath state that I
attended on Lenora Parker wife of Wm. I. Parker
on the 31st day of July, 1899; that there was born to her on said date a male
[Male or Female]
child; that said child was living March 4, 1906, and is said to have been named Ludie
Franklin Parker

× A. V. Ponder M.D.

WITNESSES TO MARK:

[Must be Two witnesses]

Subscribed and sworn to before me this 6th day of July 1906.

My Commission expires January 25. 1909

A. B. Watkins
Notary Public.

7-5190

Muskogee, Oklahoma, January 8, 1910.

Mrs. Emmaga Parker,

Mannsville, Oklahoma.

Madam:

Referring to the Choctaw enrollment cases of Mattie Shockley, et al. and Lulu West, et al., you are advised that on December 7, 1909, the Department held that no further action could or should be taken looking to the enrollment of the applicants therein.

Respectfully,

Acting Commissioner.

EdK

5191

Choc 5191 Lula West

Dec 31, 1905 Departmental letter holding Commissioner has Jurisdiction to determine application

Decision rendered mar 19, 1906

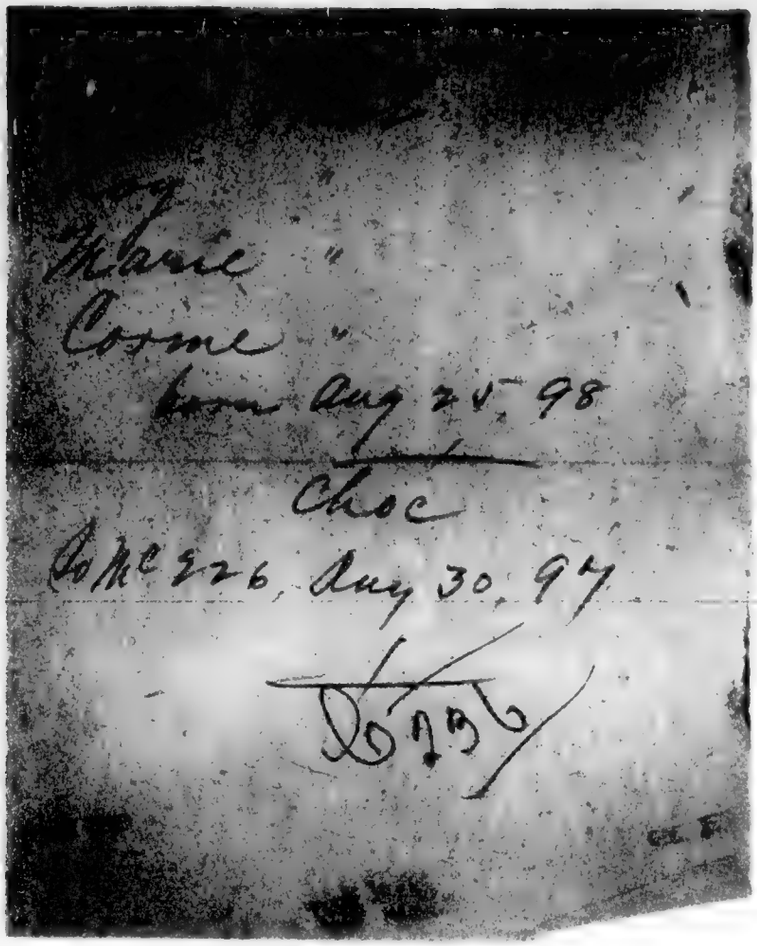
Granted as to Lula, Roy, Marie and Corine West

and

Refused as to F. K. West

Lula, Roy, Marie and Corine Transferred to Choc Docket #6032 May 20, 1906

See Petition #C-16


Marie "
Cosme "
born Aug 25 98
Choc
Co Rec 226, Aug 30, 97

7-5191.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

----o----

COPY.

In the matter of the application for the enrollment of Corine West as a citizen by blood of the Choctaw Nation.

----o----

The applicant, Corine West, claims her right to enrollment as a citizen by blood of the Choctaw Nation through her mother Lula West. The right of the applicant's mother, Lula West, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, March 21, 1904, in case No. 42, upon the South McAlester docket of said court, it is hereby ordered that the application of Corine West for enrollment as a citizen by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

(SIGNED)

Tams Bixby.

Chairman.

Muskogee, Indian Territory,

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Mattie Shockley, et al., as citizens of the Choctaw Nation, consolidating the applications of

Mattie Shockley, et al	7-5238
Lula West, et al.	7-5191
Ephriam E. Shockley, et al	7-5109
Charles L. Shockley, et al.	7-5188
Lenora Parker, et al.	7-5190
Albert R. Shockley,	7-5193
Elzora Shockley, et al.	7-5189
Pauline Shockley, et al.	7-D-51

D E C I S I O N.

It appears from the record herein that on October 4, 1898, application was made to the Commissioner to the Five Civilized Tribes for the enrollment of Mattie Shockley as a citizen by intermarriage of the Choctaw Nation, and for the enrollment of her son, John E. Shockley, as a citizen by blood of the Choctaw Nation; on September 24, 1898, application was m ade by Felix K. West for the enrollment of himself as a citizen by intermarriage of the Choctaw Nation, and for the enrollment of his wife, Lula West, and his three minor children, Roy, Marie, and Corine West, as citizens by blood of the Choctaw Nation; on September 22, 1898, application was made by Ephriam E. Shockley for the enrollment of himself and two minor children, Mattie and Leverett Shockley, as citizens by blood of the Choctaw Nation, and for the enrollment of his wife, Ava Shockley, as a citizen by intermarriage of the Choctaw Nation; on September 24, 1898, application was made by Charles L. Shockley for the enrollment of himself and two minor children, Albert and Hurman Shockley, as citizens by blood of the Chpctaw Nation, and for the enrollment of his wife Callie Shockley, as a citizen by intermarriage of the Choctaw Nation; on September 24, 1898, application was made by Lenora Parker for the enrollment of herself and minor child, Trever M. Parker, as citizens by blood of the Choctaw Nation; on September 24, 1898, application was made by Albert R. Shockley for the enrollment of himself as a citizen by blood of the Choctaw Nation; on September 24, 1898, application was made by Elzora Shockley, for the enrollment of herself as a citizen by intermarriage of the Choctaw Nation, and for the enrollment of her child, Ethel Skockley, as a citizen by blood of the Choctaw Nation; on September 24, 1898, application was made by Pauline Shockley for the enrollment of herself as a citizen by intermarriage of the Choctaw Nation; and for the enrollment of her son, Albert P. Shockley, as a citizen by blood of the Choctaw Nation.

On November 12, 1900, written application was made to the Commission to the Five Civilized Tribes for the enrollment of Elva May Shockley, minor child of Ephriam E. Shockley and Ava Shockley; on December 14, 1899, written application was made for the enrollment of Mamie Shockley, minor child of Charles L. Shockley and Callie Shockley; and on October 30, 1899, and April 29, 1902, written application was made for the enrollment of Ludie F. Parker and William Leslie Parker, respectively, minor children of Lenora Parker and W. L. Parker, a non-citizen white man.

It appears from the records of the Commission to the Five Civilized Tribes that on September 9, 1896, in the case entitled "F. K. West vs. Choctaw Nation" (1896 Choctaw Citizenship Docket, Case No.955), original application was made to said Commission, under the provisions of the Act of Congress approved June 10, 1896 (29 Stats., 321), for admission to citizenship in the Choctaw Nation of the applicants, Mattie Shockley (as Mattie L. Shockley), Felix K. West (as F. K. West), Ava Shockley, Callie Shockley, and Elzora Shockley as citizens by intermarriage of the Choctaw Nation, and John E. Shockley (as Eddie Shockley), Lula West, Roy West, Ephriam E. Shockley, Mattie Shockley, Leverett Shockley, Charles L. Shockley, Albert Shockley, Lenora Parker (as Nora Parker, Albert R. Shockley (as Albert Shockley), and Ethal Shockley as citizens by blood of the Choctaw Nation; that on December 5, 1896, said Commission rendered its decision therein admitting Mattie Shockley (as Mrs. Mattie L. Shockley), Felix K. West (as F. K. West), Ava Shockley, Callie Shockley, and Elzora Shockley as citizens by intermarriage of the Choctaw Nation, and John E. Shockley (as Eddie Shockley), Lula West, Roy West, Ephriam E.Shockley, Mattie Shockley, Leverett Shockley, Charles L. Shockley, Albert Shockley, Lenora Parker (as Nora Parker) Albert R. Shockley (as Albert Shockley) and Ethel Shockley, as citizens by blood of said Nation. From this decision of the Commission, an appeal was taken by the Choctaw Nation to the United States Court for the Central District of Indian Territory, which Court in the case entitled "F.K.West vs. Choctaw Nation" (Central District Citizenship case No. 226), affirmed the decision of said Commission, admitting Mattie Shockley (as Mattie L. Shockley) ,Felix K. West (as F.K.West) Ava Shockley, Callie Shockley and Elzora Shockley as citizens by intermarriage of the Choctaw Nation, and John E. Shockley (as Eddie Shockley), Lula West, Roy West, Ephriam E. Shockley, Mattie Shockley, Leverett Shockley, Charles L. Shockley, Albert Shockley, Lenora Parker (as Nora Parker), Albert R.Shockley (as Albert Shockley) and Ethel Shockley, as citizens by blood of the Choctaw Nation.

It further appears from the records of said Commission that on December 17, 1902, the Choctaw and Chickasaw Citizenship Court created under the provisions of the Act of Congress approved July 1, 1902 (32 Stat.641) "set aside,annulled, vacated and held for naught" the aforesaid judgment of the United States Court for the Central District of Indian Territory.

Thereafter, the record in the above case was certified to the Choctaw and Chickasaw Citizenship Court for a trial de novo, which Court on March 21, 1904, in the case of "F.K.West et al., vs Choctaw and Chickasaw Nations" (Choctaw-Chickasaw Citizenship Court case No.42 South McAlester Docket),"ordered, adjudged, and decreed that the petition of the plaintiffs, F.K.West, Ava Shockley, Callie Shockley, Elzora Shockley (or Alzora Shockley), Mattie L. Shockley, (now Mattie L. Osborn), Charles L. Shockley, Ephriam E.Shockley (as Ephriam E. Shockley), Eddie Shockley, Lula West, Albert Shockley, Roy West, Marie West, Mattie Shockley, Leverett Shockley, Ethel Shockley, Nora Shockley (now Nora Parker) and Albert R. Shockley, be denied, and that they be declared not citizens of the Choctaw Nation and not entitled to enrollment as such citizens, and not entitled to any rights whatsoever flowing therefrom."

On May 27, 1904, orders were entered of record by the Commission to the Five Civilized Tribes dismissing the applications for the enrollment of Corine West, Elva May Shockley, Hurman Shockley, Mamie Shockley, Trever M. Parker, Ludie F. Parker and William Leslie Parker as citizens by blood of the Choctaw Nation, for the reason that their parents through whom they claim their right to enrollment as citizens by blood of the Choctaw Nation had been denied by a decree of the Choctaw and Chickasaw Citizenship Court.

On December 16, 1904, the applicant, Lula West, forwarded a petition to the President, praying him to cause an investigation to be made of the allegations contained in said petition, and if said allegations were found to be true, to cause her name to be placed upon the final roll of citizens by blood of the Choctaw Nation.

Said petition was on February 15, 1905, (I.T.D.10353-1904) forwarded by the Department to the Commission to the Five Civilized Tribes with instructions to permit the petitioner to submit such testimony in suport of her claim as she may see fit, and enclosed a copy of an opinion of the Assistant Attorney General for the Department of the Interior of February 10, 1905 (I.T.D.10353-1904) wherein it was held that said Commission had jurisdiction to examine into the claimants cause, and should adjudicate it upon its merits, regardless of the judgment of the Choctaw and Chickasaw Citizenship Court.

A motion for review was filed with the Department by the attorneys for the Choctaw and Chickasaw Nations, and on December 13, 1905, the Department (I.T.D. 6380-1905), forwarded a copy of an opinion of the Assistant Attorney General for the Department of the Interior of December 8, 1905 (I.T.D. 3693-1905), wherein he adhered to his former opinion rendered on February 10, 1905, and held that Lula West having on January 9, 1890, been admitted to citizenship in the Choctaw Nation by the Secretary of the Interior, the Commission to the Five Civilized Tribes had no jurisdiction under the act of June 10, 1896, to pass upon her rights, and the United States Court for the Central District of Indian Territory, and the Choctaw and Chickasaw Citizenship Court on appeal were also without jurisdiction. Copies of said opinion were forwarded the applicant Lula West, and her attorney of record on December 23, 1905.

Under the regulations adopted by the Commissionsr to the Five Civilized Tribes on January 2, 1906, there was filed on January 22, 1906, by Thomas Norman, of Ardmore, Indian Territory, attorney for the petitioners, a petition verified by Lula West, and submitted on behalf of Lula West, F.K.West, Roy West, Marie West, Corine West, Elzora Shockley, Ethel Jones,(nee Shockley), Charles L. Shockley, Callie Shockley, Albert Shockley, Herman Shockley, Mamie Shockley, Herbert E. Shockley, E.E.Shockley, Ava Shockley, Mattie Shockley, Leverett Shockley, Elva May Shockley, Plassee Shockley, Pauline Daniel (nee Shockley), Albert Shockley, Mattie L. Osborn (nee Shockley), Eddie Shockley, Lenora Parker (nee Shockley), Treva Myrtle Parker, Ludia Franklin Parker, William Leslie Parker and Albert R. Shockley, praying that they be enrolled as citizens of the Choctaw Nation.

All of the above petitioners, with the exception of Herbert E. and Plassee Shockley, are identical with the applicants for whom application was made prior to December 25, 1902, for enrollment as citizens of the Choctaw Nation.

On February 8, 1906, the principal ~~appli~~ petitioner,Lula West, her attorney, Thomas Norman of Ardmore, Indian Territory, and Messrs. Mansfield, McMurray & Cornish, attorneys for the Choctaw and Chickasaw Nations, of South McAlester, Indian Territory, were advised that the Commissioner to the Five Civilized Tribes would, at his office in Muskogee, Indian Territory, on Monday May 5, 1906, at four o'clock P.M. hear such testimony and receive such other evidence as might be submitted by the petitioners in support of their applications for enrollment as citizens of the Choctaw Nation and by the attorneys for the Choctaw and Chickasaw Nations.

By agreement of counsel the hearing in this case was continued from four o'clock P.M. on Monday, May 5, 1906, until seven o'clock , P.M. on the same day, at which time proceedings were had pursuant to the notices above mentioned.

It appears from the record herein that on July 1[illegible], 1899, on appeal from the adverse action of the Choctaw National Council, the United States Indian Agent, Leo E. Bennett, rendered a decision admitting John Shockley (now deceased), Mattie L. Shockley, William Shockley (now deceased), Elzora Shockley, Charles L. Shockley, Ephriam Shockley, Lula Shockley, and Robert Shockley to Choctaw Citizenship, said decision being on January 9, 1890, approved by the Secretary of the Interior. It is contended by the applicants herein that no such person as Robert Shockley ever existed; that the same was an error, and should have been Albert Shockley (now deceased), a son of John Shockley, the principal petitioner before the Indian Agent.

It further appears from the record herein that the principal applicant, Mattie Shockley, who was admitted by the Indian Agent as the wife of John Shockley, was on January 22, 1899, married to J.R.Osborn, a non-citizen white man; that John E. Shockley is a son of said Mattie Shockley and John Shockley, (now deceased), (admitted by the Indian Agent); that Lula West (admitted by the Indian Agent) is the daughter of John Shockley above mentioned, and Fatima Shockley (now deceased), a non-citizen white woman; that Roy, Marie and Corine West are the children of said Lula West and Felix K. West, an applicant herein, for enrollment as a citizen by intermarriage of the Choctaw Nation; that Ephriam E. Shockley (admitted by the Indian Agent) is the son of John Shockley and Fatima Shockley, above mentioned; that Mattie, Leverett and Elva May Shockley are the children of said Ephriam E. Shockley and Ava Shockley, an applicant herein for enrollment as a citizen by intermarriage of the Choctaw Nation; that Charles L. Shockley (admitted by the Indian Agent) is the son of John Shockley and Fatima Shockley above mentioned; that Albert, Hurman, and Mamie Shockley are the children of said Charles L. Shockley and Callie Shockley, an applicant herein for enrollment as a citizen by intermarriage of the Choctaw Nation; that Lenora Parker, was born about the year 1878, and is the daughter of William Shockley, deceased, (admitted by the Indian Agent) and Bettie Shockley (deceased), a non-citizen white woman; that Treva M. Ludie F., and William Leslie Parker are the children of said Lenora Park and W.I.Parker, a non-citizen white man; that Albert R. Shockley is the son of William Shockley and Bettie Shockley above mentiond that the applicant Elzora Shockley, was by a decision of the Indian Agent admitted to Choctaw citizenship as the wife of William Shockley; that Ethel Shockley is the dughter of said Elzora Shockley and William Shockley, above mentioned; and that Albert P. Shockley was born in 1897 and is the son of Albert Shockley,(now deceased-who, (as Robert Shockley) was also admitted by the decision of the Indian Agent).

Upon an examination of the tribal rolls of the Choctaw Nation in the possession of this office, it appears that John E. Shockley, Lula West, Roy West, Ephriam E. Shockley, Mattie Shockley, Charles L. Shockley and Albert Shockley are identified upon the 1893 Choctaw Leased District Payment Roll, Chickasaw District, numbers 501, 581, 582, 498, 499, 497 and 500, respectively, enrolled thereon as citizens by blood of the Choctaw Nation.

It further appears from the record herein that the applicant, Felix K. West, was on August 20, 1899, under the laws of Tennessee, married to the applicant Lula West; that the applicant Ava Shockley was on July 30, 1890 lawfully married to the applicant Ephriam E. Shockley; that the applicant Callie Shockley was on December 10, 1893, lawfully married to the applicant, Charles L. Shockley; and that Pauline Shockley was on November 2, 1896, lawfully married to Albert Shockley, (now deceased), who (as Robert Shockley) was admitted to Choctaw citizenship by the decision of the Indian Agent.

It further appears from the record herein and from the records of the Commission to the Five Civilized Tribes that the applicants Felix K. West, Lenora Parker, Treva M. Parker, Ludie F. Parker, and William Leslie Parker, have never been enrolled by the Choctaw tribal authorities as members of the Choctaw tribe, or admitted to Choctaw citizenship by a duly constituted Court or committee of the Choctaw Nation, or by the United States Indian Agent, nor has the applicant, Felix K. West ever been married to the applicant Lula West, through whom he claims his intermarried rights by virtue of a license issued by the tribal authorities of the Choctaw Nation.

It further appears from the records herein that all the applicants herein, who were living at said time, with the exception of Elzora Shockley and Ethel Shockley were residents in good faith of Indian Territory on June 28,1898.

As to the applicant Elzora Shockley, the evidence herein shows that she was born in the state of Arkansas and resided there continuously until 1886, when she removed to the Indian Territory where she resided until 1899; that thereupon she returned to the State of Arkansas, where she resided continuously until 1900; and that the applicant Ethel Shockley was born in the State of Arkansas in about the year 1891 , and resided continuously therein with her mother, Elzora Shockley until 1900;

From the above it is considered that the applicants Elzora Shockley and Ethel Shockley, were not residents in good faith of Indian Territory on June 28, 1898, as provided by section 21 of the Act of Congress approved June 28, 1898 (30 Stat.495).

It further appears from the record herein that on March 5 1906, application was made to the Commissioner to the Five Civilized Tribes for the enrollment of Plassee Shockley and Herbert E. Shockley as citizens by blood of the Choctaw Nation. The applicant Plassee Shockley was born on April 6, 1903, and is the daughter of the applicants, Ephriam E. Shockley and Ava Shockley; and that the applicant Herbert E. Shockley was born June 15, 1903 and is the son of the applicants, Charles L. Shockley and Callie Shockley.

The Act of Congress approved March 3, 1905 (33 Stats. 1070)Provides:

> "That the Commission to the Five Civilized Tribes is authorized for sixty days after the date of the approval of this Act to receive and consider applications for enrollment of children born subsequent to September twenty-five, nineteen hundred and two, and prior to March fourth, nineteen hundred and five, and who were living on said latter date, to citizens by blood of the Choctaw and Chickasaw tribes of Indians, whose enrollment has been approved by the Secretary of the Interior prior to the date of the approval of this act; and to enroll and make allotments to such children."

I am of the opinion that inasmuch as the applicants,Plassee Shockley, and Herbert E. Shockley, are not the children of recognized and enrolled citizens by blood of the Choctaw Nation, whose enrollment has been approved by the Secretary of the Interior prior to March 3, 1905, I am now without authority to receive or consider their applications for enrollment as citizens by blood of the Choctaw Nation, and that the same should be dismissed without prejudice to the applicants, and it is so ordered.

I am of the opinion that the orders of the Commission to the Five Civilized Tribes of May 27, 1904, dismissing the applications for the enrollment of Corine West, Elva May Shockley, Hurman Shockley, Mamie Shockley, Treva M.Parker, Ludie F.Parker, and William Leslie Parker should be rescinded.

I am further of the opinion that in accordance with the opinions of the Assistant Attorney General for the Department of the Interior of February 10, 1905, (I.T.D.10353-1904), and December 8, 1905 (I.T.D. 3693-1905), in the case of Lula West, that John E. Shockley, Lula West, Roy West, Marie West, Corine West, Ephriam M. Shockley, Mattie Shockley, Leverett Shockley, Elva May Shockley, Charles L. Shockley, Albert Shockley, Hurman Shockley, Mamie Shockley Albert R. Shockley and Albert P. Shockley, should be enrolled as citizens by blood of the Choctaw Nation, and that Mattie Osborn Ava Shockley, Callie Shockley, and Pauline Shockley, should be enrolled as citizens by intermarriage of said Nation, under the provisions of the Act of Congress approved June 28, 1898 (30 Stats. 495) and July 1, 1902 (32 Stats.641), and it is so ordered.

I am further of the opinion that the applications made for the enrollment of Felix K. West and Elzora Shockley as citizens by intermarriage of the Choctaw Nation, and the applications for the enrollment of Lenora Parker, Treva M. Parker, Ludie F. Parker, William Leslie Parker and Ethel Shockley, as citizens by blood of said Nation should be denied, under the provisions of the Act of Congress approved June 28, 1898 (30 Stats.495), and it is so ordered.

(Signed) Tams Bixby,
Commissioner.

Muskogee, Indian Territory,
March 19, 1906.

7-5191

COPY.

Muskogee, Indian Territory, May 4, 1906.

F.E. West,

Atmore, Indian Territory.

Dear Sir:

You are hereby advised that the Commissioner to the Five Civilized Tribes on March 19, 1906, rendered his decision in the matter of the application for the enrollment of Mattie Shockley et al. as citizens of the Choctaw Nation, consolidating the applications of

Mattie Shockley, et al.,	7-5238
Lula West, et al.,	7-5191
Ephriam H. Shockley, et al.,	7-5109
Charles L. Shockley, et al.,	7-5188
Lenora Parker, et al.,	7-5190
Albert R. Shockley,	7-5195
Miriam Shockley, et al.,	7-5189
Pauline Shockley, et al.,	7-D-51.

By this decision the application made for your enrollment as a citizen by intermarriage of the Choctaw Nation was denied, and the application made for the enrollment of your wife, Lula West, and the enrollment of your minor children, Ray, Marie and Verine West, was granted.

You are further advised that the record in the Choctaw enrollment case of Mattie Shockley et al., together with the decision of the Commissioner to the Five Civilized Tribes, of March 19, 1906, has this day been transmitted to the Secretary of

[redacted]

[redacted] the Secretary through the Commissioner of Indian Affairs for [redacted]

Respectfully,

SIGNED Wm. O. Beall.

Acting Commissioner.

7-8191

Muskogee, Indian Territory, May 2, 1906.

A. Middleman,
Attorney at Law.
Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of April 22, 1905, stating that you note in a late newspaper report that the Secretary of the Interior has recently held that the members of the Choctaw and Chickasaw Nations who were on the rolls of said tribes and had been registered as members thereof and their descendants, and also persons who had intermarried with such citizens in accordance with the customs and laws of the tribes and entitled to enrollment notwithstanding judgments of the citizenship court had been rendered denying them; you ask to be advised as to the holdings of the Secretary of the Interior and as to what effect such holdings will have on the citizenship case of F. K. West et al versus the Choctaw Nation.

In reply to your letter you are advised that by a recent opinion of the Assistant Attorney General for the Department of the Interior it was held that the Commission to the Five Civilized Tribes acquiredno jurisdiction in 1896 over persons who had a tribal status at that time or who had intermarried according to the laws of the tribe with citizens of the Choctaw and Chickasaw Nations, and the case of F. K. West et al was remanded for the taking of

A. L. #8

further testimony.

Since the receipt of the opinion above referred to however, the Commission has been advised by the Department to take no further action in these cases pending instructions from the Secretary of the Interior.

Respectfully,

Chairman.

T—5191.

Muskogee, Indian Territory, May 23, 1906.

A. Eddleman,
Attorney at Law,
Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of May 15, asking for a copy of the opinion of the Assistant Attorney General in the case of F. K. West, et al.

In reply to your letter you are advised that since the receipt of the opinion of the Assistant Attorney General in the case of Lula West, et al., the Commission has been advised by the Department to take no further action in the cases pending instructions from the Secretary of the Interior and it is impracticable at this time to comply with your request for a copy of such opinion.

Respectfully,

Chairman.

Y—2151.

Muskogee, Indian Territory, May 26, 1908.

A. Middleman,
Attorney at Law,
Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of May 15, asking for a copy of the opinion of the Assistant Attorney General in the case of J. K. West, et al.

In reply to your letter you are advised that since the receipt of the opinion of the Assistant Attorney General in the case of Lula West, et al., the Commission has been advised by the Department to take no further action in the case pending instructions from the Secretary of the Interior, but a copy of the opinion is enclosed herewith for your information.

Respectfully,

Chairman.

DeB--7/26.

Muskogee, Indian Territory, March 29, 1906.

Chief Clerk,
Choctaw Land Office,
Atoka, Indian Territory.

Dear Sir:

You are advised that the name of F. K. West has been placed upon Choctaw roll card No. 5191, and you are directed to add the name of this person to your list of undetermined applicants for enrollment in the Choctaw Nation.

Respectfully,

Acting Commissioner.

Muskogee, Indian Territory, March 28, 1906.

Chief Clerk,

Chickasaw Land Office,

Ardmore, Indian Territory.

Dear Sir:

You are advised that the name of F. K. West has been placed upon Choctaw roll card No. 5191, and you are directed to add the name of this person to your list of undetermined applicants for enrollment in the Choctaw Nation.

Respectfully,

Acting Commissioner.

7-8191

Muskogee, Indian Territory, December 30, 1905.

A. Middleman,

Attorney at Law,

Ardmore, Indian Territory

Dear Sir:

Receipt is hereby acknowledged of your letter of December 23, 1905, referring to the recent decision of the Assistant Attorney General in the citizenship case of F. K. West et al., and you request to be advised as early as practicable if further testimony is necessary or if the evidence now on record is sufficient.

In reply to your letter you are advised that it is believed it will not be necessary to introduce additional testimony in the matter of the application of Lula West and her children for enrollment as citizens of the Choctaw Nation, but if the same should be necessary, you will be duly notified.

Respectfully,

Commissioner.

COPY.

Muskogee, Indian Territory, May 4, 1906.

Mattie Osborn,

Hartshorne, Indian Territory.

Dear Madam:

You are hereby advised that the Commissioner to the Five Civilized Tribes on March 19, 1906, rendered h s decision in the matter of the application for the enrollment of Mattie Shockley et al. as citizens of the Choctaw Nation, consolidating the applications of

Mattie Shockley, et al.,	7-523c
Lula West, et al.,	7-5191
Ephriam E. Shockley, et al.,	7-5109
Charles L. Shockley, et al.,	7-5198
Lenora Parker, et al.,	7-5190
Albert R. Shockley,	7-5193
Elnora Shockley, et al.,	7-5189
Pauline Shockley, et al.,	7-B-51.

By this decision the application of yourself for enrollment as a citizen by intermarriage, and that of your minor son, John E. Shockley, as a citizen by blood of the Choctaw Nation was granted.

Respectfully,

SIGNED Wm. O. Beall

Acting Commissioner.

COPY.

Muskogee, Indian Territory, May 4, 1906.

E.K. West,

Ardmore, Indian Territory.

Dear Sir:

You are hereby advised that the Commissioner to the Five Civilized Tribes on March 19, 1906, rendered his decision in the matter of the application for the enrollment of Mattie Shockley et al. as citizens of the Choctaw Nation, consolidating the applications of

Mattie Shockley, et al.,	7-5238
Lula West, et al.,	7-5191
Ephriam E. Shockley, et al.,	7-5109
Charles L. Shockley, et al.,	7-5188
Lenora Parker, et al.,	7-5190
Albert R. Shockley,	7-5193
Elnora Shockley, et al.,	7-5189
Pauline Shockley, et al.,	7-D-51.

By this decision the application made for your enrollment as a citizen by intermarriage of the Choctaw Nation was denied, and the application made for the enrollment of your wife, Lula West, and the enrollment of your minor children, Roy, Marie and Corine West, was granted.

You are further advised that the record in the Choctaw enrollment case of Mattie Shockley et al., together with the decision of the Commissioner to the Five Civilized Tribes, of March 19, 1906, has this day been transmitted to the Secretary of

[redacted]

[redacted] forwarded through the Commissioner of Indian Affairs for [redacted]

Respectfully,

SIGNED Wm. O. Beall.

Acting Commissioner.

COPY.

Muskogee, Indian Territory, May 4, 1906.

Ephriam E. Shockley,

Sulphur, Indian Territory.

Dear Sir:

You are hereby advised that the Commissioner to the Five Civilized Tribes on March 19, 1906, rendered his decision in the matter of the application for the enrollment of Mattie Shockley et al. as citizens of the Choctaw Nation, consolidating the applications of

Mattie Shockley, et al.,	7-5238
Lula West, et al.,	7-5191
Ephriam E. Shockley, et al.,	7-5189
Charles E. Shockley, et al.,	7-5188
Lenora Parker, et al.,	7-5190
Albert R. Shockley,	7-5193
Elzora Shockley, et al.,	7-5189
Pauline Shockley, et al.,	7-D-61.

By this decision the application of yourself and your minor children, Mattie Shockley, Leverett Shockley and Elva May Shockley as citizens by blood, and that of your wife, Ava Shockley as a citizen by intermarriage of the Choctaw Nation was granted, and the application made for the enrollment of your minor child, Plasmo Shockley, as a citizen of the Choctaw Nation was dismissed without prejudice.

Respectfully,

SIGNED Wm. O. Beall

Acting Commissioner.

COPY

Muskogee, Indian Territory, May 4, 1906.

Charles L. Shockley,

Durwood, Indian Territory.

Dear Sir:

You are hereby advised that the Commissioner to the Five Civilized Tribes on March 19, 1906, rendered his decision in the matter of the application for the enrollment of Mattie Shockley et al. as citizens of the Choctaw Nation, consolidating the applications of

Mattie Shockley, et al.,	7-5238
Lula West, et al.,	7-5191
Ephriam E. Shockley, et al.,	7-5109
Charles L. Shockley, et al.,	7-5188
Lenora Parker et al.,	7-5190
Albert E. Shockley,	7-5193
Elsora Shockley, et al.,	7-5189
Pauline Shockley, et al.,	7-D-51.

By this decision the application made for the enrollment of yourself and your minor children, Albert, Herman and Mamie Shockley, as citizens by blood, and that of your wife, Callie Shockley, as a citizen by intermarriage of the Choctaw Nation was granted, and the application made for the enrollment of your minor child, Herbert E. Shockley, as a citizen of the Choctaw Nation was dismissed without prejudice.

Respectfully,

SIGNED Wm. O. Beall.

Acting Commissioner.

COPY.

Muskogee, Indian Territory, May 4, 1906.

Lenora Parker,

Mannsville, Indian Territory.

Dear Madam:

You are hereby advised that the Commissioner to the Five Civilized Tribes on March 19, 1906, rendered his decision in the matter of the application for the enrollment of Mattie Shockley et al. as citizens of the Choctaw Nation, consolidating the applications of

Mattie Shockley, et al.,	7-5238
Lula West, et al.,	7-5191
Ephriam H. Shockley, et al.,	7-5109
Charles L. Shockley, et al.,	7-5183
Lenora Parker, et al.,	7-5190
Albert R. Shockley,	7-5193
Elzora Shockley, et al.,	7-5189
Pauline Shockley, et al.,	7-D-51.

By this decision the application of yourself and that of your minor children, Trever M., Ludie F. and William Leslie Parker as citizens by blood of the Choctaw Nation was denied.

Respectfully,

SIGNED [illegible]

Acting Commissioner.

COPY.

Muskogee, Indian Territory, May 4, 1906.

Albert R. Shockley,

Durwood, Indian Territory.

Dear Sir:

You are hereby advised that the Commissioner to the Five Civilized Tribes on March 19, 1906, rendered his decision in the matter of the application for the enrollment of Mattie Shockley, et al. as citizens of the Choctaw Nation, consolidating the applications of

Mattie Shockley, et al.,	7-5238
Lula West, et al.,	7-5191
Ephriam E. Shockley, et al.,	7-5109
Charles L. Shockley, et al.,	7-5188
Lenora Parker, et al.,	7-5190
Albert R. Shockley,	7-5193
Elzora Shockley, et al.,	7-5189
Pauline Shockley, et al.,	7-D-51.

By this decision the application of yourself as a citizen by blood of the Choctaw Nation was granted.

Respectfully,

SIGNED W. O. Beall

Acting Commissioner.

COPY.

Muskogee, Indian Territory, May 4, 1906.

Elsora Shockley,

Rush Springs, Indian Territory.

Dear Madam:

You are hereby advised that the Commissioner to the Five Civilized Tribes on March 19, 1906, rendered his decision in the matter of the application for the enrollment of Mattie Shockley et al. as citizens of the Choctaw Nation, consolidating the applications of

Mattie Shockley, et al.,	7-5238
Lula West, et al.,	7-5191
Ephriam E. Shockley, et al.,	7-5109
Charles L. Shockley, et al.,	7-5188
Lenora Parker, et al.,	7-5190
Albert R. Shockley,	7-5193
Elsora Shockley, et al.,	7-5189
Pauline Shockley, et al.,	7-D-51.

By this decision the application made for the enrollment of yourself as a citizen by intermarriage and that of your minor daughter, Ethel Shockley, as a citizen by blood of the Choctaw Nation was denied.

Respectfully,

SIGNED Wm. C. Be

Acting Commissioner.

COPY.

Muskogee, Indian Territory, May 4, 1906.

Pauline Shockley, now Daniel,

Rogers, Texas.

Dear Madam:

You are hereby advised that the Commissioner to the Five Civilized Tribes on March 19, 1906, rendered a decision in the matter of the application for the enrollment of Mattie Shockley et al. as citizens of the Choctaw Nation, consolidating the applications of

Mattie Shockley, et al.,	7-5238
Lula West, et al.,	7-5191
Ephriam E. Shockley, et al.,	7-5109
Charles L. Shockley, et al.,	7-5188
Lenora Parker, et al.,	7-5190
Albert A. Shockley,	7-5193
Elzora Shockley, et al.,	7-5189
Collins Shockley, et al.,	7-D-51.

By this decision the application of yourself as a citizen by intermarriage and that of your minor son, Albert P. Shockley, as a citizen by blood of the Choctaw Nation was granted.

Respectfully,

SIGNED Wm. O. Beall.

Acting Commissioner.

COPY.

Muskogee, Indian Territory, May 4, 1906.

Thomas Norman,

Attorney at Law,

Ardmore, Indian Territory.

Dear Sir:

There is inclosed herewith copy of the decision of the Commissioner to the Five Civilized Tribes of March 19, 1906, in the matter of the application for the enrollment of Mattie Shockley et al. as citizens of the Choctaw Nation, consolidating the applications of

Mattie Shockley, et al.,	7-5238
Lula West, et al.,	7-5191
Ephriam E. Shockley, et al.,	7-5109
Charles L. Shockley, et al.,	7-5188
Lenora Parker, et al.,	7-5190
Albert R. Shockley,	7-5193
Elzora Shockley, et al.,	7-5189
Pauline Shockley, et al.,	7-D-51.

By this decision the applications for the enrollment of John E. Shockley, Lula West, Roy West, Maria West, Corine West, Ephriam E. Shockley, Mattie Shockley, Leverett Shockley, Elva May Shockley, Charles L. Shockley, Albert Shockley, Herman Shockley, Mamie Shockley, Albert R. Shockley and Albert P. Shockley as citizens by blood, and the application for the enrollment of Mattie Osborn, Ava Shockley, Callie Shockley and Pauline Shockley as citizens by intermarriage of the Choctaw Nation are

The decision refuses the application made for the enrollment of Lovenia Parker, Hester M. Parker, Lydia F. Parker, William Leslie Parker and Ethel Shockley as citizens by blood and the application for the enrollment of Felix K. West and Minerva Shockley as citizens by intermarriage of the Choctaw Nation.

The applications for the enrollment of Florence Shockley and Herbert E. Shockley as citizens by blood of the Choctaw Nation are dismissed without prejudice to the applicants.

The original record in the case, together with the decision of the Commissioner of March 19, 1906, has this day been transmitted to the Secretary of the Interior through the Commissioner of Indian Affairs for review.

Respectfully,

SIGNED Wm. O. Beall.

Acting Commissioner.

COPY

Muskogee, Indian Territory, May 4, 1906.

Thomas Norman,

Attorney at Law,

Ardmore, Indian Territory.

Dear Sir:

You have been furnished under a separate cover with a decision of the Commissioner to the Five Civilized Tribes of March 19, 1906, in the consolidated enrollment case of Mattie Shockley et al., in which the application made for the enrollment of Flassee Shockley and Herbert E. Shockley were dismissed without prejudice to the applicants.

It appears from the records of this office that Flassee Shockley was born April 6, 1903, and is the daughter of Ephriam and Ava Shockley, and that Herbert Shockley was born June 15, 1903, and is the daughter of Charles L. and Callie Shockley.

At the time of the rendition by the Commissioner of his decision of March 19, 1906, there was apparently no authority for the reception and consideration of the applications for the enrollment of these children. Since the rendition of said decision there was approved on April 26, 1906, by the President an act of Congress entitled "An Act to provide for the final disposition of the affairs of the Five Civilized Tribes in the Indian Terri-

tory, and for other purposes", and which provides in part as follows:

> "That for ninety days after approval hereof applications shall be received for enrollment of children who were minors living March fourth, nineteen hundred and six, whose parents have been enrolled as members of the Cheetaw . . . . . tribes, or have applications for enrollment pending at the approval hereof. . ."

It is suggested that application be submitted for the enrollment of the two children referred to under the provisions of the Act of Congress approved April 26, 1906.

Respectfully,

SIGNED Wm. O. Beall.

Acting Commissioner.

COPY.

Muskogee, Indian Territory, May 4, 1906.

J.O. Pool,

Attorney at Law,

Mocona, Texas.

Dear Sir:

You are hereby advised that the Commissioner to the Five Civilized Tribes on March 19, 1906, rendered his decision in the matter of the application for the enrollment of Mattie Shockley et al. as citizens of the Choctaw Nation, consolidating the applications of

Mattie Shockley, et al.,	7-6238
Lula West, et al.,	7-6191
Ephriam E. Shockley, et al.,	7-6109
Charles L. Shockley, et al.,	7-6188
Lenora Parker, et al.,	7-6190
Albert R. Shockley,	7-6193
Elnora Shockley, et al.,	7-6189
Pauline Shockley, et al.	7-[illegible]61.

By this decision the applications for the enrollment of John E. Shockley, Lula West, Roy West, Marie West, Corine West, Ephriam E. Shockley, Mattie Shockley, Leverett Shockley, Elva May Shockley, Charles L. Shockley, Albert Shockley, Norman Shockley, Mamie Shockley, Albert R. Shockley and Albert P. Shockley as citizens by blood, and the application for the enrollment of Mattie Osborn, Ava Shockley, Callie Shockley and Pauline Shockley as citizens by intermarriage of the Choctaw Nation are

granted.

The decision refuses the application made for the enrollment of Lenora Parker, Trever H. Parker, Ludie F. Parker, William Leslie Parker and Ethel Shockley as citizens by blood, and the application for the enrollment of Felix K. West and Elnora Shockley as citizens by intermarriage of the Choctaw Nation.

The applications for the enrollment of Plassee Shockley and Herbert E. Shockley as citizens by blood of the Choctaw Nation are dismissed without prejudice to the applicants.

The original record in the case, together with the decision of the Commissioner of March 19, 1906, has this day been transmitted to the Secretary of the Interior through the Commissioner of Indian Affairs for review.

Respectfully,

SIGNED Wm. O Beall.

Acting Commissioner.

COPY.

Muskogee, Indian Territory, May 4, 1906.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

There are inclosed herewith copy of the decision of the Commissioner to the Five Civilized Tribes of March 19, 1906, in the matter of the application for the enrollment of Mattie Shockley et al. as citizens of the Choctaw Nation, consolidating the applications of

Mattie Shockley, et al.,	7-5238
Lula West, et al.,	7-5191
Ephriam E. Shockley, et al.,	7-5109
Charles L. Shockley, et al.,	7-5188
Lenora Parker, et al.,	7-5190
Albert R. Shockley,	7-5193
Elzora Shockley, et al.,	7-5189
Pauline Shockley, et al.,	7-D-61.

By this decision the applications for the enrollment of John E. Shockley, Lula West, Roy West, Marie West, Corine West, Ephriam E. Shockley, Mattie Shockley, Leverett Shockley, Riva May Shockley, Charles L. Shockley, Albert Shockley, Herman Shockley, Mamie Shockley, Albert R. Shockley and Albert P. Shockley as citizens by blood, and the application for the enrollment of Mattie Osborn, Ava Shockley, Callie Shockley and Pauline Shockley as citizens by intermarriage of the Choctaw Nation are

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granted.

The decision refuses the application made for the enrollment of Lenora Parker, Trever H. Parker, Ludie P. Parker, William Leslie Parker and Ethel Shockley as citizens by blood, and the application for the enrollment of Felix K. West and Elmora Shockley as citizens by intermarriage of the Choctaw Nation.

The applications for the enrollment of Plassee Shockley and Herbert E. Shockley as citizens by blood of the Choctaw Nation are dismissed without prejudice to the applicants.

The original record in the case, together with the decision of the Commissioner of March 19, 1906, has this day been transmitted to the Secretary of the Interior through the Commissioner of Indian Affairs for review.

Respectfully,

SIGNED Wm. J. Beall

Acting Commissioner.

COPY.

Muskogee, Indian Territory, May 4, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to transmit herewith the record in the matter of the application for the enrollment of Mattie Shockley et al. as citizens of the Choctaw Nation, consolidating the applications of

Mattie Shockley, et al.,	7-5238
Lula West, et al.,	7-5191
Ephriam E. Shockley, et al.,	7-5189
Charles L. Shockley, et al.,	7-5188
Lenora Parker, et al.,	7-5190
Albert E. Shockley,	7-5193
Elmora Shockley, et al.,	7-5187
Pauline Shockley, et al.,	7-D-51.

with the decision of the Commissioner to the Five Civilized Tribes of March 19, 1906, granting the applications for the enrollment of John E. Shockley, Lula West, Roy West, Marie West, Corine West, Ephriam E. Shockley, Mattie Shockley, Leverett Shockley, Elva May Shockley, Charles L. Shockley, Albert Shockley, Herman Shockley, Mamie Shockley, Albert E. Shockley and Albert P. Shockley as citizens by blood, and the applications for the enrollment of Mattie Osborn, Ava Shockley, Callie Shockley and Pauline Shockley as citizens by intermarriage of the Choctaw Nation. The decision also refuses the applications made for the

Sec. of Int.,-----2-

enrollment of Lenora Parker, Trever M. Parker, Ludie P. Parker, William Leslie Parker and Ethel Shockley as citizens by blood, and the applications for the enrollment of Felix K. West and Nisora Shockley as citizens by intermarriage of the Choctaw Nation. The applications submitted for the enrollment of Plassee Shockley and Norbert M. Shockley as citizens by blood of the Choctaw Nation are dismissed by said Commissioner without prejudice to the applicants.

It will appear from the record transmitted that Plassee Shockley was born April 6, 1903, and is the daughter of Ephriam M. and Ava Shockley, and that Norbert M. Shockley was born June 15, 1903, and is the daughter of Charles L. and Callie Shockley.

At the time of the rendition by the Commissioner to the Five Civilized Tribes of his decision of March 19, 1906, there was apparently no authority of law for the reception and consideration of the applications for the enrollment of these children.

Thomas Norman, of Ardmore, Indian Territory, the attorney for the several applicants, has this day been advised of the provisions of the Act of Congress approved April 26, 1906, as follows:

> "That for ninety days after approval hereof applications shall be received for enrollment of children who were minors living March fourth, nineteen hundred and six, whose parents have been enrolled as members of the Choctaw . . . . . tribes, or have applications for enrollment pending at the approval hereof,"

and it has been suggested that formal applications now be submitted for the enrollment of the two children referred to under the provisions of the Act of Congress approved April 26, 1906.

In the event that the Department approves the decision of the Commissioner, granting the applications made for the enrollment of Ephriam E. Shockley and Charles L. Shockley as citizens by blood of the Choctaw Nation, the two children referred to would then be enrolled under the provisions of the Act of Congress approved April 26, 1906.

Copies of the decision of the Commissioner of March 19, 1906, have this date been furnished Thomas Norman, of Ardmore, Indian Territory, the attorney for the applicants, and Mansfield, McMurray & Cornish, of South McAlester, Indian Territory, attorneys for the Choctaw and Chickasaw Nations. Notice of the decision has also been furnished the several principal applicants and J.O. Pool, of Nocona, Texas, who appeared as the attorney of several of the applicants at the hearing before the Commissioner to the Five Civilized Tribes on March 6, 1906.

Very respectfully,

SIGNED Wm. O. Beall

Acting Commissioner.

Through the
Commissioner of Indian Affairs.

Inc. CS-4-3

Muskogee, Indian Territory, May 14, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

On March 19, 1906, the Commissioner to the Five Civilized Tribes rendered a decision in the consolidated Choctaw enrollment case of Mattie Shockley et al., granting the application for the enrollment of certain persons named therein and denying the applications of certain others.

I now have the honor to transmit herewith bill of exceptions of Thomas Norman, attorney for applicants, to the decision of the Commissioner to the Five Civilized Tribes of March 19, 1906, for consideration in connection with this case.

Respectfully,

(Signed) Wm. O. Beall,

Acting Commissioner.

EB 6-14.

Through the Commissioner

of Indian Affairs.

Muskogee, Indian Territory, May 12, 1906.

Thomas Norman,

Attorney at Law,

Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of May 7, 1906, inclosing exceptions of the decisions of this office in the consolidated case of Loula West et al, in so far as it pertains to certain persons who were denied in said decision which you request to have forwarded the Secretary of the Interior for consideration in connection with this case, and in compliance with your request the same have been transmitted to the Secretary of the Interior.

Respectfully,

(Signed) Wm. O. Beall,

Acting Commissioner.

I, Thos. Norman, do solemnly swear that I have this day served, by registered letter, a copy of the exceptions contained in the three annexed sheets of paper, on Mansfield, McMurray & Cornish, by registering a true and correct, perfect and literal copy of same to them, addressed to them at South McAlester, and that the registry receipt hereto attached was issued on said registration. This May 7, 1906.

Thos. Norman.

Subscribed and sworn to before me this May 7, 1906.

John F. Easley
Notary Public.

(Seal)

(Registry Receipt)

Department of the Interior,

Commissioner to the Five Civilized Tribes.

In the matter of the application for the enrollment of Mattie Shockley et al, as citizens of the Choctaw Nation, consolidating the applications of

Mattie Shockley et al.	7-5238
Lula West et al.	7-5191
Ephriam E. Shockley et al.	7-5109
Charles L. Shockley et al.	7-5188
Lenora Parker et al.	7-5190
Albert E. Shockley	7-5193
Elzora Shockley et al.	7-5189
Pauline Daniels (nee Shockley) et al.	7-D-61

Exceptions to decision of
The Commissioner.

Comes now the following named petitioners herein, Felix K. West, Elzora Shockley, Lenora Parker (nee Shockley), Trever M. Parker, Ludie F. Parker, William Leslie Parker, and Ethel Jones (nee Shockley), and respectfully except to the findings and decision of the Commissioner herein in so far as it denies the above named persons enrollment as Choctaws; and they allege, in support of said exceptions, the following, to-wit:

That the decision of the Commissioner in denying enrollment to Lenora Parker and her little children named above, and to Ethel Jones, is erroneous, and contrary to law and contrary to the facts in this case. Said Lenora Parker (nee Shockley) and Ethel Jones (nee Shockley) are half sisters; that they have the same father but different mothers; that said Lenora Parker (nee Shockley is a child by the first marriage, and that said Ethel Jones (nee Shockley) is a child by the second marriage; that their father, William E. Shockley, is now dead, having died sometime about the year 1905, but that long before his death, and during

the year 1889 he was admitted to citizenship in the Choctaw Nation in virtue of a judgment of the Indian Agent, which said Judgment of the Indian Agent was affirmed and approved of by the Secretary of the Interior in 1890, and that from that date until his death in 1893, he was regularly borne on the Choctaw Rolls, and that his name was on the rolls made up for the payment of the lease district money in the year 1893; and they allege that their father, the said William E. Shockley, was a full brother of Lula West, Charles L. Shockley, Ephriam E. Shockley, all of whom were admitted to enrollment by the decision in this case; that said persons being admitted to enrollment, that there exists no reason why the children of their full brother should not be enrolled.

Petitioners further state that they only reason why Lenora Parker is not enrolled, as stated in said Judgment is, "They have never been enrolled by the Choctaw Tribal authorities as members of the Choctaw Tribe, or admitted to Choctaw citizenship by a duely constituted court or committee of the Choctaw Nation, or by the United States Indian Agent", and in opposition to this, they state that their father was so admitted to citizenship, and that Lenora Parker is his legitimate child; and that under the Act of Congress of June 7, 1897, the legitimate child of a citizen is entitled to enrollment; and that further, under the various decisions of the Department of the Interior, a child of a citizen who is on the rolls is entitled to enrollment- especially under the recent decision in the _____ Long case. No question is made as to her residence, only that she has not been on the rolls- nothing more. And no other reason is assigned for denying her infant children.

Petitioners further state that Ethel Jones (nee Shockley) who is also a child of William E. Shockley, by his second marriage,

to denied enrollment because she had not taken up a residence in the Indian Territory in good faith prior to June 28, 1898; and petitioners state in opposition to this contention, that on June 28, 1898, the said Ethel Jones (nee Shockley) was a minor of tender age, being only six years old at that date, and that a minor of tender age cannot be charged with a failure to have established a residence here as it was not in its power to take and hold a residence anywhere, and that only an adult who is capable of controling his own conduct and affairs can be so charged, and that the spirit and intent of the law never meant to include it its operation an infant of tender years without special mention, in accordance with the usual interpretation of laws, which except from their operation minors of tender years as well as persons NON COMPOS MENTIS unless they are specifically mentioned. In addition, her mother, Elnora Shockley, resided in the State of Arkansas on account of her health, and that was excused her.

Petitioners further state that the name of Pauline Shockley should be changed to that of Pauline Daniel as she has married again since the death of her first husband, and her name now appears as Pauline Daniel.

Wherefore, petitioners pray that the decision of the Commissioner in so far as it denies the above named parties enrollment be reversed, but that in all other particulars in be affirmed.

(Signed) Thos. Norman

Attorney for petitioners.

Endorsed as follows:

Department of the Interior,
Commissioner to the Five Civilized Tribes.
FILED
May 9, 1906,
TAMS BIXBY,
Commissioner.

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

J.P.
FCR.

D.C. 2882-1907.
I.T.D. 25864-1906.

January 14, 1907.

LRS

Direct.

Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:

It is requested that you do not promulgate the decision of the Department of January 9, 1907, in the case of Mattie Shockley et al., and that you return it at once direct to the Department. The parties in such cases are not to be enroled unless further advised by the Department.

Respectfully,

(signed) Thos. Ryan,
First Assistant Secretary.

DEPARTMENT OF THE INTERIOR,

WASHINGTON,

[illegible]. [illegible]-1907.
[illegible]. [illegible]-1906.
[illegible]

January 9, 1907.

Commissioner to the Five Civilized Tribes,
Muskogee, Indian Territory.

Sir:

May 4, 1906, you transmitted the record in the matter of the application for the enrolment of Mattie Shockley, et al., as citizens of the Choctaw Nation, including your decision of March 19, 1906, granting the applications for the enrolment of John H. Shockley, Lula West, Roy West, Marie West, Corine West, Ephriam H. Shockley, Mattie Shockley, Leverett Shockley, Elva May Shockley, Charles L. Shockley, Albert Shockley, Herman Shockley, Minnie Shockley, Albert R. Shockley and Albert P. Shockley as citizens by blood, and the applications for the enrolment of Mattie Osborn, Ava Shockley, Sallie Shockley and Pauline Shockley as citizens by intermarriage of the Choctaw Nation, and rejecting the applications for the enrolment of Lenora Parker, Trever M. Parker, Ludie F. Parker, William Leslie Parker and Ethel Shockley as citizens by blood, and the applications for the enrolment of Felix K. West and Eleanora Shockley as citizens by intermarriage of the Choctaw Nation, also dismissing the applications for the enrolment of Flossee Shockley and Herbert H. Shockley as citizens by blood of the Choctaw Nation.

Reporting December 22, 1906 (Land 42796-06), the Indian Office recommends that your decision be approved, except as to the dismissal of the applications of Plannee Shockley and Herbert H. Shockley, for enrolment as citizens by blood of the Choctaw Nation. A copy of its letter is inclosed.

The Department concurs in the recommendation of the Indian Office, and your decision is hereby affirmed, except as to the dismissal of the applications of Plannee Shockley and Herbert H. Shockley. As to them, you will proceed with the adjudication of their claims under legislation enacted subsequent to your decision of March 19, 1906.

The papers in the case have been returned to the Indian Office for its files.

Respectfully,

Thos Ryan

First Assistant Secretary.

Through the Commissioner
of Indian Affairs.

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Refer in reply to the following: (C O P Y)

DEPARTMENT OF THE INTERIOR,

OFFICE OF INDIAN AFFAIRS,

WASHINGTON.

Land.
46199-1906.
42794- "

December 22, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to transmit herewith a communication from the Commissioner to the Five Civilized Tribes, dated May 4, 1906, enclosing the record in the matter of the application for the enrollment of Mattie Shockley et al., as citizens of the Choctaw Nation, including the Commissioner's decision; also a letter dated May 14, 1906, enclosing " A bill of exceptions," filed by Thomas Norman, the attorney for the applicants, which shows service on Mansfield, McMurray & Cornish, attorneys for the Choctaw and Chickasaw Nations, on May 7, 1906.

The consolidated case of Mattie Shockley et al., is made up of a number of distinct cases, but all the parties thereto are members of the Shockley family. These cases are as follows:

Mattie Shockley, et al.	7-5238
Lula West et al.,	7-5191
Ephriam E. Shockley et al.,	7-5190
Charles L. Shockley et al.,	7-5188
Lenora Parker et al.,	7-5190
Albert R. Shockley et al.,	7-5189
Pauline Shockley et al.,	7-5-51

There are twenty-eight persons included in these cases, of whom nineteen have been enrolled and nine have been denied enrollment by the Commissioner in his decision of March 19, 1906. Two of these rejected applicants, Flassie Shockley and Herbert E. Shockley, had their applications dismissed without prejudice. Flassie Shockley was born April 6, 1903, and is the daughter of Ephriam and Ava Shockley, who are both granted enrollment by the Commissioner's decision; Herbert E. Shockley was born June 15, 1903, and is the son of Charles L. and Callie Shockley, each of whom has been enrolled by the Commissioner's decision. The Commissioner's decision dismissing the applications of these two persons was based on the fact that they were not the children of recognized and enrolled citizens by blood of the Choctaw Nation whose enrollment had been approved by the Secretary of the Interior prior to March 3, 1905, and that he was at that time without authority to receive or consider such applications. At the time the decision of the Commissioner was rendered the Act of April 26, 1906 (34 Stat. L., 137) had not been enacted. Under Section 2 of this Act these children are entitled to enrollment, provided the enrollment of their parents is approved by the Department.

This case goes back to about 1886. On account of the activity of Lula West, it has come to be known as the Lula West case. She was a Shockley before her marriage to Felix K. West, and claims to be of Choctaw blood, was born in

Tennessee, and has been a resident of the Choctaw Nation for about twenty-one years. In 1886 John Sheckley, for himself, wife and children, William Sheckley and his wife Elzora, Charles L. Sheckley, Ephriam Sheckley, Lula Sheckley and Albert Sheckley, filed a petition with the Choctaw National Council asking that all the rights, privileges and immunities of Choctaw citizenship be granted to them. The Council denied the petition and an appeal was thereupon taken to the United States Indian Agent at the Union Agency, who was at that time vested by law with jurisdiction to hear appeals from decisions of the Choctaw National Council. On July 15, 1889, the then United States Indian Agent, Leo E. Bennett, rendered a decision holding that the petitioner, John Sheckley, was a Choctaw Indian by blood, and as such was entitled to citizenship in the Choctaw Nation. The decision of the Indian Agent was approved by the Department, January 9, 1890, and thereafter the names of the persons mentioned in the petition were borne on the roll of citizens of the Choctaw Nation.

The applicants appeared before the Commission to the Five Civilized Tribes and made application for admission to citizenship under the Act of June 10, 1896 (29 Stat. L., 321,339), and were dulyadmitted, from which action of the Commission the Choctaw Nation took an appeal to the United States Court for the Central District of the Indian Territory, where the judgment of the Commission was affirmed. After the approval of the Act of July 1, 1902 (32 Stat.,L., 641,646-8),under which the Citizenship

Court was organized, this cause was transferred to that court, and ultimately a judgment was handed down by this court denying the enrollment. Subsequent proceedings were had before the Commission, but it considered that the judgment of the Citizenship Court was final and deprived the Commission of any further jurisdiction.

The matter was then brought to the attention of the Department by petition addressed to the President, and on December 23, 1904, was referred to the Assistant Attorney General for the Interior Department for an opinion. He rendered an opinion which was approved on February 10, 1905, holding that the Commission to the Five Civilized Tribes had jurisdiction to examine into the case and should adjudicate it upon its merits, regardless of the judgment of the Citizenship Court. The Assistant Attorney General for the Interior Department rendered an approved opinion on December 8, 1905, in which he adhered to his opinion of December 23, 1904, and the Commissioner to the Five Civilized Tribes was directed to proceed in accordance with that opinion. The Commissioner proceeded under this authority and took testimony in the case on March 5 and 6, 1906, and on March 19, 1906, rendered his decision granting the applications for the enrollment of John E. Shockley, Lula West, Roy West, Marie West, Corine West, Ephriam E. Shockley, Mattie Shockley, Leverett Shockley, Elva May Shockley, Charles L. Shockley, Albert Shockley, Harman Shockley, Mamie Shockley, Albert E. Shockley and Albert F. Shockley, as citizens by blood, and the applications for the enrollment of Mattie

Osborn, Ava Shockley, Callie Shockley and Pauline Shockley, as citizens by intermarriage of the Choctaw Nation; refusing the applications for the enrollment of Lenora Parker, Trever M. Parker, Ludie P. Parker, William Leslie Parker, Flassie Shockley, Herbert E. Shockley and Ethel Shockley, as citizens by blood, and Felix K. West and Elsora Shockley as citizens by intermarriage.

These persons receiving an adverse decision have taken exceptions thereto. There is no argument presented on behalf of Felix K. West by his attorney and it is presumed that the decision as to him is considered final. Lenora Parker and Ethel Jones are half sisters, being daughters of William E. Shockley, who was admitted to citizenship by reason of the decision of the United States Indian Agent in 1889, and who died in 1893. Lenora Parker is the child of Wil iam Shockley and his first wife. She was born in Tennessee. When quite young she was abandoned by her father and never saw him again. She was living in Tennessee when her father was admitted to citizenship in the Choctaw Nation, and is not mentioned in the decision admitting her father. It appears that she removed to the Indian Territory in 1896 and has lived in the Chickasaw Nation for the past eight ye rs. It is not shown that she has ever been recognized by the Choctaw or Chickasaw authorities nor does her name appear on any of the authentic rolls of Choctaw or Chickasaw citizens. She is married to a non-citizen white man and her four children have no rights other than through their mother.

Ethel Jones is the daughter of William Shockley by his second wife, Elsora Shockley. She was born in Arkansas

about 1898 and seems to have removed to the Indian Territory about 1900. It is contended that she can not be charged with failure to establish a residence in the Indian Territory. While it is true as a general proposition that a minor cannot chee se its residence it is equally true that the residence of the parent is the residence of the minor. Arkansas was the residence of her parents at the time of her birth and continued to be so until two years after she should have been a resident of the Indian Territory if she was to claim any benefits from such residence. There could be no constructive residence under the circumstances shown in this case. In the case of Minnie L. Wright et al., decided March 30, 1905 (I.T.D. 3623-1904) it was held they could not be enrolled as citizens by blood because they had not established a residence in the Choctaw Nation prior to June 28, 1898.

Elzora Shockley is the widow of William Shockley and was admitted to citizenship at the same time and by the same decision that admitted her husband. She had lived in the Indian Territory about three years at the time she was admitted and left there about the same time, whether before or immediately thereafter she was unable to say. She was born in Arkansas, married there, and except for three years lived there all her life until she returned to the Indian Territory and established a residence at Rush Springs in 1900. When she testified before the Commission in September, 1898, she was a resident of Cecil, Franklin County, Arkansas. The record does not show that she

was a resident in good faith of the Choctaw Nation on June 28, 1898; on the contrary it is conclusively shown that she was not a resident of that Nation at all until two years later.

The Office is of the opinion that following the opinion of the Assistant Attorney General for the Interior Department, the decision of the Commissioner to the Five Civilized Tribes is correct, and therefore recommends that the "bill of exceptions" be dismissed and the decision be affirmed in all things except the dismissal of the applications of Flas ie Shockley and Herbert E. Shockley. In the event the Department affirms the decision of the Commissioner admitting the parents of these children, it is recommended that under Section 2 of the Act of April 26, 1906 (34 Stat. L., 137) the applicants, Flassie Shockley and Herbert E. Shockley be enrolled as citizens by blood of the Choctaw Nation.

The record is enclosed herewith.

Very respectfully,

C. F. Larrabee.

Acting Commissioner.

EWE.-Y.

LRS 1 J.P.
DER.

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

DO-12410-1907.
I.T.D. 1402-1907.

February 26, 1907.

DIRECT.

Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:

In view of the opinion of the Attorney-General of February 19, 1907, relative to the case of Loula West, et al., the decision of the Department of January 9, 1907, in favor of the claimants in the case of Mattie Shockley, et al., returned with your letter of January 17, 1907, is rescinded, and the decision of your office in favor of the claimants is reversed.

A copy hereof has been sent to the Indian Office.

Respectfully,

Jesse E. Wilson,

Assistant Secretary.

AEMc
2-27-07

D.C., Inclosure.
I.T.D. 6818-1907.

DEPARTMENT OF THE INTERIOR,
WASHINGTON,

March 4, 1907.

INS
DIGEST.

Commissioner to the Five Civilized Tribes,
Muskogee, Indian Territory.

Sir:

Answering your letter of February 27, 1907, relative to the Choctaw enrolment case of Mattie Sheckley, et al., you are advised that the schedules mentioned therein have been disapproved by the Department.

A copy hereof has been sent to the Indian Office.

Respectfully,

Jesse E. Wilson

Assistant Secretary.

Copy hereof to
Ind Of.
W.C.P. 3/4/07

D.C.M.
F.W.H.

A.B.M.
J.R.E.
W.C.P.
J.W.L.

1 File 5-31.
5/W

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

March 1, 1909. 17077

Seal--Office of Ind. Affairs.
Rec. March 3, 1909.

The Commissioner
to the Five Civilized Tribes.

Sir:

January 25, 1909, you were advised that the names of certain persons were inadvertently included in Departmental letter of January 19, 1909 (File 5-31); that such mistake was due to the fact that it was supposed they were enrolled upon schedules approved by the Department, when in fact, the only schedule upon which their names appear were disapproved, and that no action should be taken under the circumstances looking to the erasure of interlineations or notations, if any, from the disapproved schedules, in connection with their names.

The names of the persons referred to in said letter of January 25, 1909, are as follows:

Choctaws by Blood.

Roll No.

16103 Elizabeth Allen.
16112 George A. Bumgarner.
16110 Leutitia Crutchfield.
16106 Everett Crutchfield

16111	George W. Crutchfield.
16108	Ida Crutchfield.
16107	Ina Crutchfield.
16106	Lowinia Crutchfield.
16109	William Crutchfield.
921	Josephine Lafibre Long.
922	Jake Lafibre Long.
16104	David Ritter.

It now appears from the records of the Secretary's Office that there was a schedule approved May 21, 1904, by the Secretary of the Interior, and that the approval then given was cancelled by said Secretary at a later date, to-wit, June 28, 1904.

The name of Elizabeth Allen appears upon the schedule which was approved May 21, 1904, opposite the number 15551. Ida Crutchfield's name appears opposite No. 15553, while the other members of the Crutchfield family were given the numbers immediately following that assigned to her.

You are requested to cause a report to be prepared shewing whether the records of your Office also show that an earlier schedule containing the names of said persons was approved May 21, 1904; also whether such approval was cancelled June 28, 1904. Please report also the reason for the attempted cancellation, and whether prior notice was given thereof.

It appears further that, in connection with the names of Elizabeth Allen and the Crutchfield family on the roll approved May 21, 1904, the names of Ardella Hickman, Ida M. Southard and Grover Randall are also to be found.

In connection with said names, it is desired that you

will report what action, in your opinion, should be taken concerning the first of said persons; also whether the said Ida M. Southard and Grover Randall, respectively, are identical with the Ida M. Southard whose names appears opposite No. 15000 in the printed rolls of citizens by blood of the Choctaw Nation, and the Grover Randall whose name appears on page 8 of Departmental letter of January 19, 1909 (File 5-51), opposite No. 15928.

As appears from the above list, there were other persons besides the said Allen and Crutchfields whose names were enrolled on schedules which were finally disapproved by the Department: for example, George A. Bumgarner, Josephine Laflore Long and Jake Laflore Long.

Please report whether the names of these persons appear upon any prior approved schedule; also why it was that the Commissioner to the Five Civilized Tribes enrolled them upon the schedule which was disapproved by the Department, showing whether the Commissioner enrolled them thereon, of his own motion, or under decision or instructions from the Department.

By comparison of the roll approved May 21, 1904, with the printed rolls of Choctaws by blood, the Department finds that the numbers appearing thereon opposite the names of said persons were subsequently assigned to other citizens of the Choctaw Nation; thereby the series of roll numbers was kept perfect, but a material portion of the rolls was evidently sacrificed upon the supposition that it had become worthless. Inquiry arises in this connection as to whether there were other approved schedules which were subsequently disapproved and

thrown aside. Accordingly, it is desired that you also cause a report to be prepared covering this feature of the matter, showing all persons embraced in similar cases, with recommendation as to what action should be taken as to them. This will necessitate a statement as to why their names were stricken or cancelled from the rolls, and whether such action was taken without prior notice.

There is still another matter concerning which the Department desires report to be made. It is observed that the words "No person enrolled at this number" are to be found not infrequently opposite consecutive numbers on the pages of the printed rolls; and you are requested to advise the Department whether such words were substituted for the names of individuals appearing on disapproved schedules, and if such is the case, whether such disapproved schedules were approved at any time by the Department; also whether favorable decisions were ever rendered by the Department as to such persons prior to their enrollment upon such disapproved schedules.

For the sake of expedition, a partial report should be rendered at once concerning the said Elizabeth Allen and the various members of the Crutchfield family named above. The other matters referred to herein can be disposed of by subsequent reports.

Very respectfully,

Jesse E. Wilson,

Assistant Secretary.

Through the
Indian Office.

5.

Land

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17077-09
J B R

E B H
E B M

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS.

WASHINGTON, D.C.,------Mach 6 -09

Respectfully referred to the Commissioner
to the Five Civilized Tribes, for
appropriate action.

John Francis, Jr.
Acting Chief Land Division.

1 Letter
dated Meh. 1, 09.

D 301-1909

Muskogee, Oklahoma, April 14, 1909.

Subject:

Reporting on Departmental letter of March 2, 1909, as to case of Mattie Shockley, et al. analogous to case of Minerva F. Swadley, et al.

The Honorable,

The Secretary of the Interior.

Sir:

Receipt is hereby acknowledged of Departmental letter of march 2, 1909 (File 5-51) asking for reports on certain Choctaw cases analogous to the case of Minerva F. Swadley, et al. and directing that the report be made in the form of answers to questions one to five inclusive in Departmental communication of February 25, 1909, relative to Mattie L. Armstrong, and thatinstead of question six the report should state whether any attempt was made, directly or indirectly, to give notice of the rescinding of Departmental decision favorable to the applicants.

Reference is also made to Departmental letter of March 1, 1909 (File 5-51) asking for erports on the cases of all persons whose names appear on schedules of Choctaws and Chickasaws which were disapproved by the Department.

Secretary 2

I have the honor to state that the case of Mattie Shockley, et al. (Loula West case) is one of the cases included in both Departmental letters above referred to, and to report therein as follows:

It appears from the records of this office that on September 9, 1896, in the case entitled F. K. West, et al. versus the Choctaw Nation, 1896 Choctaw Citizenship Case Number 955, original application was made to the Commission to the Five Civilized Tribes under the provisions of the Act of Congress approved June 10, 1896 (29 Stat., 321) for admission of the applicants, Mattie Shockley (as Mattie L. Shockley), Felix K. West (as F. K. West), Ava Shockley, Callie Shockley and Elzora Shockley as citizens by intermarriage of the Choctaw Nation, and John E. Shockley (as Eddie Shockley), Lula West, Roy West, Ephriam E. Shockley, Mattie Shockley, Leverett Shockley , Charles L. Shockley, Albert Shockley, Lenora Parker (as Nora Parker), Albert R. Shockley (as Albert Shockley) and Ethel Shockley as citizens by blood of the Choctaw Nation; that on December 5, 1896, the Commission admitted the above applicants as citizens of the Choctaw Nation.

From this decision an appeal was taken by the Choctaw Nation to the United States Court for the Central District of Indian Territory, which court, in case Number 226 on the Citizenship Docket, affirmed the decision of the Commission admit-

ting these applicants to citizenship in the Choctaw Nation.

On December 17, 1902, the Choctaw and Chickasaw Citizenship Court, created under the provisions of the Act of Congress approved July 1, 1902 (32 Stat., 641) "set aside, annulled, vacated and held for naught" the aforesaid judgment of the United States Court for the Central District of the Indian Territory. Thereafter the record in this case was certified to the Choctaw and Chickasaw Citizenship Court for a trial de novo, and this court, on March 21, 1904, in the case of F. K. West, et al. vessus the Choctaw and Chickasaw Nations, Number 42 on the South McAlester Docket of said court, ordered, adjudged and decreed that all these applicants be denied and declared not citizens of the Choctaw Nation, and not entitled to enrollment as such citizens, or to any rights whatever flowing therefrom.

May 27, 1904, orders were entered of record by the Commission to the Five Civilized Tribes, dismissing the applications for the enrollment of Corine West, Elva May Shockley, Hurman Shockley, Mamie Shockley, Trever M. Parker, Ludie F. Parker and William Leslie Parker as citizens by blood of the Choctaw Nation for the reason that their parents had been denied enrollment by a decree of the Choctaw and Chickasaw Citizenship Court.

December 16, 1904, Lula West, one of the applicants in this case, forwarded a petition to the President, praying him

to cause an investigation to be made of the allegations contained in said petition, and if the same were found to be true, to cause her name to be placed upon the final roll of citizens by blood of the Choctaw Nation.

This petition was on February 15, 1905 (I T D 10353-1904) forwarded by the Department to the Commission to the Five Civilized Tribes with instructions to permit the petitioner to submit such testimony in support of her claim as she might see fit and enclosed a copy of an opinion of the Assistant Attorney General for the Department of the Interior of February 10, 1905, wherein it was held that said Commission had jurisdiction to examine into the claimants' cause, and should adjudicate it upon its merits, regardless of the judgment of the Choctaw and Chickasaw Citizenship Court.

A motion for review was filed with the Department by the Attorneys for the Choctaw and Chickasaw Nations, and on December 13, 1905 (I T D 6380-1905) the Department forwarded a copy of an opinion of the Assistant Attorney General for the Department of the Interior of December 8, 1905 (I T D 3693-1905), wherein he adhered to his former opinion rendered February 10, 1905, and held that Lula West having on January 9, 1890, been admitted to citizenship in the Choctaw Nation by the Secretary of the Interior, the Commission to the Five Civilized Tribes had no jursidiction under the Act of Congress of

June 10, 1896, to pass upon her rights, and the United States Court for the Central District of Indian Territory, and the Choctaw and Chickasaw Citizenship Court on appeal were also without jurisdiction. Copies of this opinion were forwarded the applicant, Lula West, and her attorney of record on December 23, 1905.

Under the regulations adopted by the Commissioner to the Five Civilized Tribes January 2, 1906, there was filed on January 22, 1906, by Thomas Norman, of Ardmore, Indian Territory attorney for the petitioners, a petition verified by Lula West, and submitted on behalf of Lula West, F. K. West, Roy West, Marie West, Corine West, Elzora Shockley, Ethel Jones, nee Shockley, Charles L. Shockley, Callie Shockley, Albert Shockley, Herman Shockley, Mamie Shockley, Herbert E. Shockley, E. E. Shockley, Ava Shockley, Mattie Shockley, Leverett Shockley, Elva May Shockley, Plassee Shockley, Pauline Daniel, nee Shockley, Albert Shockley, Mattie L. Osborn, nee Shockley, Eddie Shockley, Lenora Parker, nee Shockley, Treva Myrtle Parker, Ludie Franklin Parker, William Leslie Parker, and Albert R. Shockley, praying that they be enrolled as citizens of the Choctaw Nation.

All parties in interest were notified and a hearing was had in this case March 5, 1906.

It appears from the record in this case that on July 15, 1889, on appeal from the adverse action of the Choctaw National Council, the United States Indian Agent, Leo E. Bennett, rendered a decision admitting John Shockley, now deceased, Mattie L. Shockley, William Shockley, now deceased, Elzora Shockley, Charles L. Shockley, Ephriam Shockley, Lula Shockley and Robert Shockley to Choctaw citizenship, said decision being on January 9, 1890, approved by the Secretary of the Interior.

The applicants contended that no such person as Robert Shockley existed; that this was an error and should have been Albert Shockley, now deceased, a son of John Shockley, the principla petitioner before the Indian Agent.

Upon an examination of the tribal rolls of the Choctaw Nation in the possession of this office, the names of John E. Shockley, Lula West, Roy West, Ephriam E. Shockley, Mattie Shockley, Charles L. Shockley and Albert Shockley are identified upon the 1893 Leased District Payment Roll of the Choctaw Nation, Chickasaw District, Numbers 501, 581, 582, 498, 499, 497 and 500 respectively.

March 19, ~~1906~~ 1906, the Commissioner to the Five Civilized Tribes rendered an opinion which rescinded the orders of the Commission to the Five Civilized Tribes of May 27, 1904, dismissing the applications for the enrollment of Corine West, Elva May Shockley, Hurman Shockley, Mamie Shockley, Trever M.

Parker, Ludie F. Parker and William Leslie Parker, and, in accordance with the opinions of the Assistant Attorney General for the Department of the Interior of February 10, 1905 (I T D 10353-1904) and December 8, 1905 (I T D 3693-1905) in the case of Lula West (Loula West), held that John E. Shockley, Lula West, Roy West, Marie West, Corine West, Ephriam E. Shockley, Mattie Shockley, Leverett Shockley, Elva May Shockley, Charles L. Shockley, Albert Shockley, Hurman Shockley, Mamie Shockley, Albert R. Shockley and Albert P. Shockley should be enrolled as citizens by blood of the Choctaw Nation, and that Mattie Osborn, Ava Shockley, Callie Shockley and Pauline Shockley should be enrolled as citizens by intermarriage of said Nation, under the Acts of Congress approved June 28, 1898 (30 Stat., 495) and July 1, 1902 (32 Stat., 641).

The Commissioner further held that the applications made for the enrollment of Felix K. West and Elzora Shockley as citizens by intermarriage of the Choctaw Nation and the applications for the enrollment of Lenora Parker, Trever M. Parker, Ludie F. Parker, William Leslie Parker and Ethel Shockley as citizens by blood of said nation should be denied under the provisions of the Act of Congress approved June 28, 1898.

The applicants, Plummee Shockley and Herbert E. Shockley, not being the children of recognized and enrollmed citizens by

blood of the Choctaw Nation whose enrollment had been approved by the Secretary of the Interior prior to March 3, 1905, the applications for their enrollment as citizens by blood of the Choctaw Nation were dismissed without prejudice.

May 4, 1906, notice of this decision was forwarded the parties in interest by registered mail, and on the same date the original record in this case, together with the decision of March 19, 1906, was transmitted to the Department.

May 9, 1906, Thomas Norman forwarded a statement of exceptions to the decision in this case, in so far as it pertained to certain persons who were denied therein, and requested that the same be transmitted to the Secretary of the Interior, which was done May 14, 1906.

December 22, 1906 (Land 40199, 42796-1906) the Indian Office recommended that thedecision of the Commissioner of March 19, 1906, be affirmed, and that, in the event the Department did affirm this decision, the Commissioner to the Five Civilized Tribes be directed to enroll the applicants, Plassee and Herbert E. Shockley, under Section two of the Act of Congress approved April 26, 1906 (34 Stat., 137). January 9, 1907 (I T D 2586-1906) the Secretary of the Interior affirmed the decision of the Commissioner to the Five Civilized Tribes of March 19, 1906, and directed that the office proceed with the adjudication of the claims of Plassee Shockley and

Herbert E. Shockley under legislation enacted subsequent to the decision of March 19, 1906.

January 14, 1907 (I T D 25864-1906) this office was directed by the Department not to promulgate the decision of January 9, 1907 in this case and to return it at once direct to the Department as the parties in the case were not to be enrolled unless further advised by the Secretary of the Interior.

January 15, 1907 (I T D 818-1907) this office was advised, with reference to Departmental letters of January 9 and January 14, 1907, in the matter of the application for the enrollment of Mattie Shockley, et al. as citizens by blood of the Choctaw Nation, that, by direction of the President, the case would be submitted to the Attorney-General for his opinion and that no further action should be taken relative to these claimants until this office was further advised.

January 17, 1907, this office acknowledged receipt of Departmental letters of January 14, 1907 and January 15, 1907 and in conformity with the request of the Department, the communication of January 9, 1907, affirming the decision of the Commissioner to the Five Civilized tribes of March 19, 1906, in the Choctaw enrollment case of Mattie Shockley et al., together with the report of the Acting Commissioner of Indian

Affairs of December 22, 1906, was returned direct to the Department.

February 23, 1907 (I T D 4864-1907) this office was directed by telegram from the Department, which was subsequently confirmed by letter of the same date, to inspect the partial rolls of citizens of the Choctaw and Chickasaw Nations to determine what persons were enrolled thereon contrary to the views expressed by the Attorney-General in his opinion of February 19, 1907. The office was further advised in said telegram that decisions of the Department, based upon opinions of the Assistant Attorney-General in favor of claimants in certain cases, among which was Loula West, et al., were rescinded.

February 12, 1907, there were transmitted for the consideration of the Department, schedules of citizens of the Choctaw Nation, as follows:

Citizens by blood	Nos.16160 to 16174 inclusive
Citizens by marriage . . .	Nos. 1646 to 1649 inclusive
Minor citizens by blood..	Nos. 919 to 920 inclusive

These schedules were composed of the persons who had been admitted by the Commissioner to the Five Civilized Tribes in his decision of March 19, 1906, in the case of Mattie Shockley et al. and Herbert E. Shockley and Plassee Shockley, whose names were scheduled without decisions in accordance with the provisions of the Act of Congress approved April 26, 1906.

Inasmuch as the time within which persons could be enrolled and their enrollment approved by the Secretary of the Interior under the provisions of the Act of Congress approved April 26, 1906, was becoming very short, the schedules above described were prepared at this office without waiting for the opinion of the Attorney-General and were forwarded to the Department, in order that, if the opinion of the Attorney General were favorable to their contention, the rights of these applicants might be protected by the Department without delay.

February 27, 1907, referring to Departmental letter of February 23, 1907, authorizing this office to cancel the enrollment of the persons included in the case of Loula West, et al. this office ~~transmitted~~ reported that the schedules above referred to had been transmitted to the Department on February 12, 1907, and recommended that the decision of March 19, 1906, be not approved and that the schedules containing the names of the persons included in this decision be disapproved by the Department.

February 26, 1907 (I T D 1402-1907) the Department, in view of the opinion of the Attorney-General of February 19, 1907, in the case of Loula West et al., rescinded its decision of January 9, 1907, in favor of the claimants in the case of Mattie Shockley et al. and reversed the decision of this of-

fice of March 19, 1906, favorable to the applicants.

March 1, 1907 (I T D 5680, 5684-1907) the Department advised this office that the schedules containing the names of the parties applicant in the case of Mattie Shockley et al. (Loula West case) had been disapproved. A report of the Indian Office of February 28, 1907 (Land 16776-1907) was also transmitted.

March 16, 1907, the parties in interest in this case were advised of the action of the Department reversing the decision of the Commissioner of March 19, 1906 as to the persons admitted therein and affirming it as to the persons denied by said decision.

Inasmuch as the persons included in this case were never upon the approved rolls no certificates of allotment were issued to them.. Contests were filed by them, but were dismissed after the action of the Department in denying their applications.

I have further to report that it does not appear from the records of this office that any attempt was made, directly or indirectly, to give the above named applicants notice of the proceedings looking to the rescinding of the decision of the Secretary of the Interior in their case.

Inasmuch as the record in this case is very full and complete, and it is believed that the applicants could not

add anything thereto, this office has not forwarded to them notices as referred to in Departmental letter of March 15, 1909, relative to applications for restoration to citizenship status in the Five Civilized Tribes, and will withhold such action unless it is the wish of the Department that the same should be furnished these applicants.

However, if it is desired that the notices be forwarded, or if it is the wish of the Department that the parties applicant in cases of this character should be notified to have their attorneys submit written argument as to their contention that their case falls within the principles of the opinion of the Supreme Court in the Goldsby and Allison cases, this office will proceed to notify the applicants to this effect immediately upon receipt of advice from the Department, and will make supplemental report after their replies have been received.

Respectfully,

Commissioner.

Through the Commissioner
of Indian Affairs.

AB

DEPARTMENT OF THE INTERIOR,

WASHINGTON.

January 18, 1909.

File 5-91

The Commissioner to the

Five Civilized Tribes,

Muskogee, Oklahoma.

Sir:

November 30, 1908, the Supreme Court rendered decisions in what are known as the Goldsby and Allison cases. These suits were brought to obtain mandates against the Secretary of the Interior to correct the rolls as to said Goldsby and Allisons, on the ground that the Secretary of the Interior after placing their names upon approved rolls of citizenship had attempted to strike them from those rolls without notice and an opportunity to be heard. The decision of the Supreme Court is that mandate shall issue in these cases.

There are many suits of a similar nature pending against the Secretary of the Interior, and after careful conferences between this Department and the Department of Justice it was decided that judgment should be allowed in all pending mandamus actions in which the relators stand clearly in the same position as Goldsby and the Allisons. Pursuant to these conferences and to the judgments which may be entered on account of the [redacted]

decisions of the Supreme Court, you are hereby directed to cease the publications and notations which purport to strike any of the following names from the rolls of citizens of the respective nations of the Five Civilized Tribes:

PERSONS WHO HAD PRIOR TO THEIR ENROLLMENT INSTITUTED SUITS, THE PRINCIPLE OF WHICH ARE VERY CLOSELY SIMILAR TO THE OPINION OF THE SUPREME COURT IN THAT REGARD.

Chickasaw by Blood.

Roll No.	Name	Roll No.	Court.
4964	Goldsby, John M.	948	U.S.S.C.
4965	Goldsby, Lemuel M.	50033	S.C.D.C.
4966	Goldsby, Bessie	50033	S.C.D.C.
4967	Goldsby, Murray M.	50033	S.C.D.C.
4968	Vaughan, Edward A.	372	U.S.S.C.
4970	Vaughan, Grover C.	371	U.S.S.C.
4971	Vaughan, Oscar S.	371	U.S.S.C.

Chickasaw by Intermarriage.

621	Adams, John Quincy	50033	S.C.D.C.
612	Lancaster, William T.	50033	S.C.D.C.
606	McCoy, Clay	49388	S.C.D.C.
631	England, James W.	51085	S.C.D.C.
596	St. John, Thomas	50388	S.C.D.C.
605	Vaughan, Benjamin F.	373	U.S.S.C.

[illegible] to Mail.

Mail No.	Name	Mail No.	Depot.
[illegible]	[illegible]	[illegible]	[illegible]
15918	[illegible]	[illegible]	S.C.D.C.
15940	[illegible]	[illegible]	S.C.D.C.
15941	[illegible]	[illegible]	S.C.D.C.
15942	[illegible]	[illegible]	S.C.D.C.
15943	[illegible]	[illegible]	S.C.D.C.
15917	[illegible]	[illegible]	S.C.D.C.
15911	[illegible]	[illegible]	S.C.D.C.
15910	[illegible]	[illegible]	S.C.D.C.
15909	[illegible]	[illegible]	S.C.D.C.
15908	[illegible]	[illegible]	S.C.D.C.
15907	[illegible]	[illegible]	S.C.D.C.
15906	[illegible]	[illegible]	S.C.D.C.
16030	[illegible]	[illegible]	S.C.D.C.
15949	[illegible]	[illegible]	S.C.D.C.
16032	[illegible]	[illegible]	S.C.D.C.
16034	[illegible]	[illegible]	S.C.D.C.
16035	[illegible]	[illegible]	S.C.D.C.
16036	[illegible]	[illegible]	S.C.D.C.
16037	[illegible]	[illegible]	S.C.D.C.
16038	[illegible]	[illegible]	S.C.D.C.
16039	[illegible]	[illegible]	S.C.D.C.
15451	[illegible]	[illegible]	S.C.D.C.

[illegible] No.	Name	[illegible] No.	[illegible]
15406	Jones, Willie B.	[illegible]	S.C.D.C.
15412	Jones, Archeworth	[illegible]	S.C.D.C.
15414	Jones, [illegible]ham	50033	S.C.D.C.
15421	Jones, [illegible]	50033	S.C.D.C.
15424	Kirk, [illegible]ville	50033	S.C.D.C.
15425	Kirk, Sarah	50033	S.C.D.C.
15426	Kholton, Emma	51240	S.C.D.C.
15427	Kholton, Frank	51240	S.C.D.C.
15640	Sumpter, John	50033	S.C.D.C.
15646	Sumpter, Amanda Isabella	50033	S.C.D.C.
15647	Sumpter, Jim Andy	50033 51240	S.C.D.C.
15648	Sumpter, Scott Tayler	50033 51240	S.C.D.C.
15649	Sumpter, Dixon D.	51240	S.C.D.C.
15912	Wright, Betty	50033	S.C.D.C.
15913	Wright, Thomas K.	50033	S.C.D.C.
15914	Wright, Mary M.	50033	S.C.D.C.
15915	Wright, Leonard D.	50033	S.C.D.C.

Enrolled by Marriage.

1398	Allen, Andrew J.	50033	S.C.D.C.
1409	Atwood, Chester C.	50033	S.C.D.C.
1473	Beal, Andrew	50047	S.C.D.C.
4080	Bowling, Mary M.	51026 50033	S.C.D.C.

Roll No.	Name.	Enrl. No.	Enrld.
1343	Carter, John W.	50834	S.C.D.C.
1464	Cummings, Henry A.	50833	S.C.D.C.
1384	Crowder, Parlee C.	50833	S.C.D.C.
1329	Harris, Calvin Q.	49723	S.C.D.C.
1378	Howard, Carrie	50833	S.C.D.C.
1399	Kirk, J. W.	50834	S.C.D.C.
990	Klugh, August	50833	S.C.D.C.
1027	Perkins, Mattie A.	50833	S.C.D.C.
1491	Reichert, William	51026	S.C.D.C.
1400	Rice, Ambrose L.	374	S.C.U.S.
1423	Shults (or Shults), Fannie	51026	S.C.D.C.
1498	Shelton, John	50946	S.C.D.C.
1469	Sumpter, Jacob D.	50833	S.C.D.C.
340	Travis, Robert A.	50948	S.C.D.C.
1403	White, Angeline	51026	S.C.D.C.
662	Woodward, Charles A.	49494	S.C.D.C.

Minor Choctaws.

Act of Congress Approved April 26, 1906.

367	Barnett, Effie	50833	S.C.D.C.
457	Denver, Hasal Calvin	50833	S.C.D.C.
458	Denver, Claud B.	50833	S.C.D.C.
459	Herbert, Howard	50833	S.C.D.C.
674	Crowder, Nettie Myrl	50833	S.C.D.C.
685	Green, Lee	49724	S.C.D.C.
853	Wright, Vannie Jane	50833	S.C.D.C.

Cherokees by Blood.

Roll No.	Name.	Suit No.	Court.
31940	Allison, John	49434	S.C.D.C.
31960	Allison, Johnnie B.	49436	S.C.D.C.
31961	Allison, Frankie P.	49437	S.C.D.C.
31956	Allison, Ida B.	249	U.S.S.C.
31957	Allison, George A.	250	U.S.S.C.

A careful investigation of these names concerning which no suits were brought, but which, after being upon an approved roll of citizens or freedmen of any of the Five Civilized Tribes, were stricken therefrom without notice and an opportunity to be heard, has thus far developed a list which undoubtedly falls within the principles expressed by the Supreme Court in the Goldsby decision. All these persons are in the same position as those named in the above list of those who had filed suits prior to that decision. It follows necessarily that, if suits were instituted in these cases, judgment must be allowed as was done in the case of the names on the above list. For this reason I have decided that it would be improper to delay the correction of the rolls as far as these persons are concerned. Such delay would continue the rolls in an incorrect condition according to the opinion of the Supreme Court, would bring hardship and expense upon the citizens and freedmen involved, and would delay completion of the work of the Commission to the Five Civilized Tribes.

The surrendering of the rolls at these places does not add names to the rolls, but merely erases from the rolls interlineations and notations which the court says the Secretary of the Interior had no power to place there. For these reasons you are hereby directed to erase the interlineations and notations which purport to strike any of the following names from the rolls of citizens of the respective nations of the Five Civilized Tribes:

PERSONS WHO HAD NOT INSTITUTED SUITS PRIOR TO THE GUINEY DECISION BUT WHOSE CASES WILL INDEPENDENT UNDER THE PROVISIONS OF THAT DECISION.

Chickasaws by Blood.

Roll No.	Name	Roll No.	Name
6813	Perry, Joe	6814	Perry, Dillard

Chickasaws by Marriage.

622	Arehart, John W.	623	Shanks, Mary A.
626	Morgis, Sallie J.	614	Ramsey, Castarus A.

Choctaws by Blood.

16103	Allen, Elizabeth	16110	Crutchfield, Emmaline
16112	Bumgarner, George A.	16106	Crutchfield, Everet
15920	Crowder, John A.	16111	Crutchfield, George W.
15924	Crowder, Pinkie B.	15450	James, Alice L.
15923	Crowder, Katie B.	15978	Jennings, Arthur
15921	Crowder, Eli W.	15979	Jennings, Clyde
15922	Crowder, James	15916	Keifer, Ardella
15906	Crowder, Winnie Gertrude	16003	Long, James S.
15904	Crowder, John P.	16004	Long, Joseph

Roll No.	Name.	Roll No.	Name.
15903	Crowder, William H.	16008	Long, Perbis
15902	Crowder, Rosa	981	Long, Josephine Laflore
15901	Crowder, Maggie	978	Long, Jake Laflore
15900	Crowder, Abigail	9858	Polworth, Henry
15899	Crowder, William J.	15926	Randall, Grover
16105	Crutchfield, Ida	16104	Ritter, David
16107	Crutchfield, Ina	15856	Robinson, Mary E.
16106	Crutchfield, Lewvinia	15951	Shelton, Daisy
16109	Crutchfield, William	15857	Trice, Mary A.

Checkers by Marriage.

[illegible]		1414	McClure, Madell
1537	Buchholtz, Jeanette M.	1614	McCahey, Martha J.
1538	Choate, Amanda	1407	McMurtry, Lucy
1418	Crowder, Lydia Ann	1580	Owe, Julia
1523	Crowder, Josephine	1410	Paxton, William D.
985	Foster, Mary A.	1406	Raben, Robert L.
1421	Freeny, Mattie	1490	Reding, Ella
1489	Gunn, William Newton	1478	Rigney, Rosa E.
1518	Gray, John Calvin	1219	Roberts, George W.
1216	Gunter, Benjamin B.	1531	Robinson, Frederick R.
1480	Kelley, William F.	1353	Russell, Nettie M.
1476	Lewis, Vicey	1127	Smith, Ira L.
1150	Lindsey, Selden T.	1426	Staton, John T.
1405	Merryman, Sarah	668	Sutherland, Henry
1215	Mitchell, Virginia P.	1470	Tucker, William M.
1519	Mitchell, Nettie S.		
1416	Moran, Mary	1468	Vincent, Charlie S.

Minor Shooting Citizens.

Roll No.	Name.	Roll No.	Name.
726	Brundrick, Jennie Louise	791	Kiefer, Burana
4	Crowder, Rufus Clay	469	Long, Francis
789	Kiefer, Odie A.		

Shootees by Blood.

31958	Allison, Elmer C.	31959	Allison, Jasper P.

In order that the action of erasure may be uniform for all names and upon all rolls, you will make such erasures in the following manner: The lines drawn through and purporting to cancel the names from the rolls shall be lined out by drawing across them short transverse lines in red ink. The notations purporting to cancel the names from the rolls shall be lined out by drawing through each line of said notations red horizontal lines. In addition to lining out the interlineations and notations you will insert a note at the foot or side of each page containing any of these corrections, said note to be indicated by stars placed before the names involved. The note shall read as follows:

"Words and lines purporting cancellation erased by authority of departmental letter of January 19, 1909 (File 8-31)."

You will notify all persons whose status on the rolls has been recognized as above of the action taken, and that they have all the rights to allotment and payments enjoyed by other citizens, as though no attempt had ever been made to cancel their names from the rolls.

Except for the Illinois named in above lists, I am not ready to give you a list of the Cherokees and Creeks whose status upon the rolls will be corrected under the principles of the Goldsby decision. Direction concerning them will follow within a week.

There are other names which were upon approved rolls and were erased or stricken therefrom by the Secretary of the Interior without notice. Some of these are already the subject of injunction or mandamus actions against the Secretary of the Interior, and in other cases such action has not been instituted. There are reasons which make it doubtful whether these persons fall indubitably under the principles of the Goldsby decision. Careful consideration of the matter will be given at once, and, according to the decision reached in each case, the persons involved will be left to such court action as they deem wise or will have the rolls corrected by departmental action in the manner indicated for the two lists set forth above.

A sample page is inclosed, showing the method of erasure to be followed by all officers in the correction of the rolls.

Very respectfully,

Secretary.

COPY.

Land
64139-1909
J B D.

Enrollment case of
Wm. T. Swadley, et al.

Washington, August 18, 1909.

The Commissioner
to the Five Civilized Tribes,
Muskogee, Oklahoma.

Sir:-

Referring to the reports of March 12 and April 19, 1909, from your office relative to the Choctaw enrollment case of Wm. T. Swadley, et al, there is transmitted herewith for your information and guidance a copy of Department decision of August 9, 1909.

You are requested to notify the parties in interest.

Very respectfully,

John Francis, Jr.,
Acting Chief Clerk.

AG-14
5974

Washington, D. C., August 9, 1909.

D-7198

Choctaw Citizenship,
File 5-61
Wm. T. Swadley et al.

The Commissioner of
Indian Affairs.

Sir:-

The Department has considered your office report of May 4, 1909, relative to the enrollment of Wm. T. Swadley, Minerva F. Swadley, and John W. W. Swadley, as citizens of the Choctaw Nation.

It appears that the name of Wm. T. Swadley was on a roll of Choctaw citizens by intermarriage (No. 1634) approved by this Department February 19, 1907, and that his name was stricken therefrom, without notice or opportunity to be heard, March 4, 1907. Under the decision of the Supreme Court of the United States in Garfield v. Goldsby (211 U. S., 249), it now appears that the Secretary of the Interior was without authority thus to cancel his enrollment. He therefore enjoys the status of Choctaw citizenship, with all its rights, and you will consequently cause to be erased from the rolls

in your custody the notation purporting to cancel his name therefrom. A proper entry thereof will be:

> Word and figures purporting the cancellation erased by authority of Departmental letter of August 8, 1909. (File S-61)

By letter of even date, the Commissioner to the Five Civilized Tribes is instructed to take similar action concerning the copy of the rolls in his custody, and this letter is also authority for like action as to the rolls in the custody of the Secretary of the Interior.

The name of John W. W. Swadley does not appear on any approved roll, and his status has never been determined in hias favor in any way or form. No further action can or will be taken as to this applicant.

It further appears that the name of Minerva F. Swadley has never been on any roll approved by the Department. It is true that a decision that she was entitled to enrollment was rendered by the Commission December 15, 1906, and that this decision was affirmed by the Secretary of the Interior February 18, 1907. Her name was placed upon a schedule of citizens by blood of the Choctaw Nation, but this roll was disapproved by the Secretary March 4, 1907. Unlike Wm. T. Swadley (and John E. Goldsby), her name was never on an approved roll and unlike the case of John W. W. Swadley, supra, it does appear that her right to go on such a roll was once adjudicated in her favor.

The final roll, however, is decisive of her rights. No allotment or other citizenship rights attach unless the name of claim-

ant appears upon an approved roll(Choctaw and Chickasaw agreement, 32 Stat., 641, sec. 35).The roll must be approved by the Secretary of the Interior (id.,sec. 30)in order to be part and parcel ofthe final rolls of citizens, upon which allotment of land and distribution of tribal property is to be made. And, in the enrollment of citizens, the Secretary becomes functus officio after March 4, 1907 (act of April 26, 1906, 34 Stat., 137), having " no jurisdiction to approve the enrollment of any person after said date."

Notwithstanding the favorable interlocutory step consenting that her name might be placed upon a roll, the ultimate disapproval of such a roll constitutes the final judgment of the Department as to her status The judicial functions of the Secretary, in this behalf, expired by statutory limitation March 4, 1907. He may not now augment the roll by the addition of her name. Congress left no room for a nunc pro tunc decree: the Secretary's jurisdiction absolutely ceased on the last mentioned date. Now to order her name on the roll would involve a new exercise of judgment in reversal of that evidenced by the disapproval, March 4, 1907 of the roll on which her name appeared. Congress saw fit to deprive the Secretary of power after that date, and her recourse, if wronged thereby, is to the legislative rather than the administrative branch of the Government.

The case of Serena Bullocks et al., decided by the Department August 15, 1907, referred to by you, presented somewhat different conditions. There the Department took no affirmative action disapproving a roll upon which the names of the parties to that cause appeared. There was simply a clerical omission to carry out the favorable decision in failing to transcribe the names upon a roll for approval. Here the names were placed upon a roll, but the Department, in the exercise of duty devolving upon it, concluded, before final action was taken, that Miner-

[illegible] Hadley was not entitled to enrollment as a Choctaw Freedman, and in [illegible] while the matter was yet within the Secretary's jurisdiction, [illegible] disapproving the roll upon which her name was found. Without further comment upon said decision of August 15, 1907, it is sufficient to say that it does not control the present case.

No further action will be taken in the case of Minerva F. Hadley.

The papers are returned herewith.

Very respectfully,

(Signed) James R. Wilson,

Assistant Secretary.

T-6095

Muskogee, Oklahoma, January 8, 1910.

Mrs. Lulu West,

Ardmore, Oklahoma.

Madam:

Referring to the Choctaw enrollment cases of Mattie Shockley, et al. and Lulu West, et al., you are advised that on December 7, 1909, the Department held that no further action could or should be taken looking to the enrollment of the applicants therein.

Respectfully,

Acting Commissioner.

MoM

7-6032

Muskogee, Oklahoma, January 3, 1910.

Mr. Thos. Norman,
Attorney at Law,
Ardmore, Oklahoma.

Sir:

Referring to the Choctaw enrollment cases of Mattie Shockley, et al. and Lula West, et al., you are advised that on December 7, 1909, the Department held that no further action could or should be taken looking to the enrollment of the applicants therein.

Respectfully,

Acting Commissioner.

MoM

7-6088

Muskogee, Oklahoma, January 5, 1910.

Mr. J. O. Poole,
Attorney at Law,
Nocona, Texas.

Sir:

Referring to the Choctaw enrollment cases of Mattie Shockley, et al. and Lulu West, et al., you are advised that on December 7, 1909, the Department held that no further action could or should be taken looking to the enrollment of the applicants therein.

Respectfully,

Acting Commissioner.

McM

Chec 5/92 Henry Gamel

#2 Dismissed oct 25/1909

5192

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the application for enrollment as a citizen by intermarriage of the Choctaw Nation of--

LULA GAMEL 7-5192.

Court Card C. 237

IN RE application of Henry Gamel and others.

Henry Gamel says:

I have been living in the Territory 5 years. I was married to my wife Lula Brooks under license issued by the United States Court , at Ardmore, May 2nd 1897 .

(Record of issuance of license, and certificate of marriage exhibited)

Ardmore, Sept. 24 1898.

Henry Gamel
Lula Gamel

enrolled.

24

Certificate of Record of Marriage

UNITED STATES OF AMERICA,
The Indian Territory,
SOUTHERN DISTRICT. } sct.

I, JOSEPH W. PHILLIPS, Clerk of the United States Court in the Territory and District aforesaid.

DO HEREBY CERTIFY that the License for, and Certificate of the Marriage of

Mr A. Cayuse and

M Lula Brooks

were filed in my office in said Territory and District the 3 day of May A. D., 189 and duly recorded in Book 21 of Marriage Record page 24

WITNESS my hand and seal of said Court, at Ardmore, this 3 day of May A.D., 189

JOSEPH W. PHILLIPS, Clerk

By ..... Deputy.

FILED

MAY 3 1897 2 PM

Joseph W. Phillips

CLERK.

Marriage License.

United States of America,
The Indian Territory,
Southern District. } ss

To Any Person Authorized By Law to Solemnize Marriage—Greeting.

You are hereby commanded to solemnize the Rite and publish the Banns of Matrimony between Mr. H. Gaunce of Ardmore in the Indian Territory, aged 22 years, and Miss Lula Brooks of Ardmore in the Indian Territory, aged 19 years, according to law and do you officially sign and return this License to the parties therein named.

WITNESS My hand and Official Seal, this 2 day of May A. D. 1897.

Jas. W. Phillips
CLERK OF THE U. S. COURT.

Certificate of Marriage.

UNITED STATES OF AMERICA,
THE INDIAN TERRITORY,
SOUTHERN DISTRICT. } ss.

I, J. A. McCullough a Minister of the Gospel

DO HEREBY CERTIFY, that on the 2 day of May A. D. 1897 I did duly and according to law, as commanded in the foregoing License, solemnize the Rite and publish the Banns of Matrimony between the parties therein named.

WITNESS my hand this 3 day of May A. D. 1897.

My credentials are recorded in the office of the Clerk of the United States Court, Indian Territory, Southern District, at Ardmore, Book C Page 68

J. A. McCullough
a Minister of the Gospel

NOTE.—This License and Certificate of Marriage must be returned to the Office of the Clerk of United States Court in the Indian Territory, from whence it was issued, within sixty days from the date thereof, or the party to whom the License was issued will be liable in the amount of One Hundred Dollars ($100.)

D&D

7-5192.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

----:----

In the matter of the application for the enrollment of Lula Gamel as a citizen by intermarriage of the Choctaw Nation.

----o----

The applicant, Lula Gamel, nee Brooks, claims her right to enrollment as a citizen by intermarriage of the Choctaw Nation by reason of her marriage to one Henry Gamel. The right of the applicant's husband, Henry Gamel, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, of May 4, 1904, in case number 4 upon the Tishomingo docket of said court, it is hereby ordered that the application of Lula Gamel for enrollment as a citizen by intermarriage of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Chairman.

Muskogee, Indian Territory,

OCT 25 1904

COPY. 7-5192.

Muskogee, Indian Territory, October 25, 1904.

Henry Gamel,

Ardmore, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated October 25, 1904, dismissing the application for the enrollment of your wife, Lula Gamel as a citizen by intermarriage of the Choctaw Nation.

Respectfully,

(SIGNED)
Tams Bixby

Chairman.

Registered.

Incl. 7-5192.

7-5192.

COPY.

Muskogee, Indian Territory, October 25, 1904.

Thomas Norman,

Attorney at Law,

Ardmore, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated October 25, 1904, dismissing the application for the enrollment of Lula Gamel as a citizen by intermarriage of the Choctaw Nation.

Respectfully,

SIGNED

Tams Bixby

Chairman.

Registered.

Incl. 7-5192.

7-5192.

COPY.

Muskogee, Indian Territory, October 25, 1904.

Mansfield, McMurray and Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission, dated October 25, 1904, dismissing the application for the enrollment of Lula Gamel as a citizen by intermarriage of the Choctaw Nation.

Respectfully,

SIGNED

Tams Bixby

Chairman.

Incl. 7-5192.

Affidavit of service

I, Robt. E. Lee, a Notary Public in and for the southern district of the Indian Territory, Post Office address Ardmore, I.T., do hereby certify that I have this day Aug 24, 1897, read and inspected all the original papers in the case of "Lula Gamel vs Choctaw Nation" consisting of an application, a certified copy of the Master's Report in the case of Mrs. Kate Gamel et al vs Choctaw Nation, the original marriage license of Henry Gamel and Lula Brooks, and an affidavit of Henry Gamel.

That I have compared these papers with copies of the same, and that I found the said copies to be true and correct, perfect and complete copies of the originals herein,

That I took the said copies and sent them by registered letter to Stuart, Gordon, and Haley, Attys for the Choctaw Nation, addressed to them at South McAlester, I.T., and the registry receipt attached hereto No. , is a receipt for the same from the Post Master at this office.

Given under my hand and seal of office this the 24th day of Aug. 1897.

Robt E. Lee
Notary Pub.

No

Before the honorable commission to the five civilized tribes sitting at Ft. Gibson, I. T. to pass upon all applications for citizenship in any of said tribes.

Lula Gamel, by her husband Henry Gamel, Plaintiff.
vs
Choctaw Nation, Defendant.
} Application

Now comes your applicant Mrs. Lula Gamel and appears by her husband Henry Gamel, and respectfully states that she is a resident of the Chickasaw Nation, Indian Territory, and her post office address is Ardmore, I.T.

Applicant further states that her husband, Henry Gamel, is a citizen of the Choctaw Nation, and virtually enrolled as a citizen thereof, for having appealed from the decision of this honorable commission in the case styled "Kate Gamel et al vs Choctaw Nation" to the United States Court at Ardmore, and the cause having been duly referred to the Master in Chancery, the said Master has duly reported thereon that said Henry Gamel is a Choctaw Indian and entitled to enrollment in said tribe. Owing to the sickness and absence of the trial judge, this report has not been presented to the trial judge for confirmation, but this is the sole and only reason and cause for its not having been so presented, and said Henry Gamel and the other applicant in said application are in no wise responsible for the delay, but on the other

hand have done all they could to call the same up before said Court for confirmation.

Applicant further states that on the 2nd day of May, 1897, she legally and lawfully married the said Henry Gamel and that she is now the lawful wife of his; that she married said Gamel after the said application was filed with this Commission and even after the said appeal to the Courts, and that her name does not therefore appear in said application as an applicant therein, and that unless this Commission will now enroll her, she will forever be debarred of her rights, and excluded from participating in the enjoyment of the tribal property. Inasmuch as She is the lawful wife of a Choctaw Indian, and consequently entitled to enrollment as an intermarried citizen, she respectfully suggests that she should not be held responsible for the misfortune of the trial Judge and his consequent inability to pass upon the Masters Report, and confirm the citizenship of her husband; and she files herewith a duely certified copy of said Master report, ~~a duely certified~~ the original copy of her marriage license, and the affidavit of her husband, and asks this Commission to consider the same in passing upon her claim, and to admit and enroll her as a citizen of the Choctaw Nation.

Lula Gamel.

I, Henry Gamel, do solemnly swear that I am the lawful husband of applicant above, that I appear for her in this application, and that all the facts and statements contained in the foregoing application are true:

his
Henry X Gamel
mark

Sworn to and subscribed before me this 23rd day of August 1897.

Thos. Norman,
Notary Public

Thos. Norman, Atty. Ardmore, I.T.

In the United States Court Southern District Indian Territory at-

A r d m o r e.

Mrs. Kate Gamel,

vs. /108 —Master's Report.—

Choctaw Nation.

I find the following pertenent facts to this application, that Betsy Holt, was one half Choctaw Indian by blood, and for a number of years lived in the Choctaw Nation, near Atoka, where she died many years ago; Betsy Holm, married a white man who emigrated to this country from Georgia, by the name of Rutledge, commonly called Colonel John Rutledge, of this union there was born one child, the applicant Mrs. Kate Gamel, Colonel Rutledge and his wife separated in the Choctaw Nation, when Colonel Rutledge moved to the Chickasaw Nation, at this time the applicant Mrs. Gamel was about 8 years old, that shortly after the applicant located in the Chickasaw Nation, Col. Rutledge went on a business trip to Mobile Alabama where he died; that the applicant continued to reside in the Indian Territory in the Chickasaw Nation, the applicant then moved to her mother's in the Choctaw Nation, near Atoka, where she continued to reside until she was about the age of fourteen, at which time she married a white-man named Tom Gruce, Soon after this marriage they moved to the state of Texas, where Gruce died leaving surviving him by applicant one child, After the death of Gruce applicant married one George Gamel, a white man and a citizen of the United States. This marriage occured in Texas, before D8%C; that after this marriage a few years applicant and George Gamel, moved to the Indian Territory, and located near Cherokee town Indian Territory. After their removal here they were recognized by the Indian authorities as Choctaw Indians. George Gamel and Kate Gamel had the following children,to-wit: Sallie, Carrie, George, Henry, Minnie and Daisy; Sallie married L.P.Boseman in I88I, in the state of Texas and had born the following children; Kate,May,Crank,Kinney,and Ed, and reside near Paul's Valley, Indian Territory. George married Alice Rotenbury, a white man in I896, the other children,Henry,Minnie and Daisy are unmarried. I recommend that all the applicants be admitted to enroll-

ment, except L.P.Bowman, who is a citizen of the United States and did not marry according to the Indian laws; I recommend that he be denied enrollment.

A. E.Campbell.

Master in Chancery.

This transcript is a true and perfect copy of the original Master's Rep. filed by Master in Chancery this cause, this 23 day of June 1877 & filed this 23 of Aug. 1878.

Wilson

J. W. Smith, Clerk

By _____

Lula Gamel, Plaintiff
vs
Choctaw Nation, Deft.
} Affidavit

Now comes Henry Gamel and solemnly sweears that he has had read to him the contents of the above application and that the facts and statements therein are true and correct. I am the party referred to therein as Henry Gamel, and the applicant therein is my wife. She is a white woman. We were married on the 2 day of May 1897, and have continued to live together ever since as husband and wife, and we are now so living together.

I am a Choctaw Indian by blood, and am the party mentioned in the accompanying certified copy of the Masters Report as Henry Gamel. My Mother and brothers and sisters applied to to this commission for enrollment but were rejected. We then appealed to the Courts, and the Master reccommends our admission. I am in no way, nor are any of the applicants, responcible for the report not having been confirmed, but it is wholy due to the sickness and absence of the trial judge, Hon. C.B. Kilgore. I am a Choctaw Indian, and the applicant and I were married after the filing our application above, and her name is not on said application and unless this commission admits her, she will be cut out and deprived of her rights. I am the party referred to in the ~~certified~~ original copy of marriage license as Henry Gamel.

Henry his X mark Gamel.

Subscribed and sworn to before me this the 23rd day of Aug. 1897.

Thos. Norman.
Notary Public.

4 W.C.B.

COMMISSIONERS.
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

WM. O. BEALL,
Secretary

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING:
7-5192.

ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, October 25, 1904.

Henry Gamel,

Ardmore, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated October 25, 1904, dismissing the application for the enrollment of your wife, Lula Gamel as a citizen by intermarriage of the Choctaw Nation.

Respectfully,

Chairman.

Registered.

Incl. 7-5192.


EMPTY


EMPTY

5145

Choc 5145 William R. Cross

NAE Dismissed May 27, 1904

Refused Jan 28, 1907

Copy of decision forwarded for applicant Jan 28, 1907

Copy of decision forwarded Attys for Choc & Chic Nations Jan 28, 1907

Record forwarded Dept Jan 28, 1907

See C-71

Action approved by Sec'y of Interior Mar 1, 1907

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment as citizens of the Choctaw Nation of

WILLIAM R. CROSS, et al . . . . . .C- 71
7-5195

[COPY]

Choctaw Court Card C 240

In re Application of William R. Cross and others.

Sworn by Commissioner McKennon.

William R. Cross says:

Mary M. was born April 29th, 1898.

I married a Choctaw citizen. She died. I then married a white woman by whom I have the child Mary.

I have lived in the Choctaw nation 40 years continuously.

Ardmore, Sept. 24, 1898.

William R. Cross
Mary M. Cross

enrolled.

Ardmore, Indian Territory,

February 5, 1906.

The Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:-

W. R. Cross, Mary Melinda Cross, Mary Belle Cross, Marion Franklin Cross, Walter D. Cross, William Thomas Cross and James Lee Cross state that they are members of the Choctaw Tribe of Indians, and have a right to be and should be enrolled as such. That W. R. Cross was duly and legally married to Hanna Wells, whose maiden name was Hanna Airington, and who was a Choctaw Indian by blood, on or about the 18th day of April, 1875, and lived with her until she died. That the said Hanna Wells, nee Airington, was a one-fourth Choctaw by blood, and was enrolled as such and that by reason thereof the said W. R. Cross became and was a member of the Choctaw Tribe of Indians by intermarriage, with all the rights and privileges of a Choctaw Indian and that he was by reason thereof adopted into and made a member of said tribe. That after the death of the said Hanna Cross, W. R. Cross was duly and legally married to Silemma Snow, whose maiden name was Silemma Hoard. That William Thomas Cross now seventeen years of age, Walter D. Cross, now fifteen years of age, Marion F.Cross, now eleven years old, James Lee Cross, now six years of age, Mary Belle Cross, now two years of age, and Mary Melinda Cross, who is now dead, who died in February 1903, and who would have been, if living, about nine years old, are all children of and the issue of said W. R. Cross, and his wife Silemma Cross and issue of said marriage.

Registry receipt attached.

They therefore ask that they each and all be placed upon the rolls made out for the Choctaw Indians, and all other proper relief.

(Signed) Cruce, Cruce & Bleakmore.

Indian Territory,)
)
Southern District.)

W. R. Cross, one of the applicants herein, being first duly sworn, says that the statements made in the foregoing petition are true.

(Signed) W. R. Cross.

(SEAL)

Subscribed and sworn to before me by W. R. Cross, this the 3d day of February, 1906.

(Signed) Robuta [illegible],
Notary Public.

My commission expires June 28, 1908.

DEPARTMENT OF THE INTERIOR.

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In Re

W. R. Cross, Mary Melissa Cross, Mary Belle, Marion Franklin, Walter D. William Thomas and James Lee Cross.

I, Roberta Niblack, do certify that on the _____ day of February, 1906, I placed in the postoffice at Ardmore, Indian Territory, a letter addressed to Mansfield, McMurray & Cornish, inclosing a true and correct copy of the petition in the above entitled cause, and that attached hereto is the registry return receipt, showing that Mansfield, McMurray & Cornish received the letter addressed to them, inclosing the copy of said petition.

(Signed) Roberta Niblack.

(SEAL)

Subscribed and sworn to before me this the 8th day of February, 1906.

(Signed) L. Mullen,
Notary Public.

My commission expires

Registry return receipt attached.

DEPARTMENT OF THE INTERIOR.
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, INDIAN TERRITORY, SEPTEMBER 10, 1906.

In the matter of the application for the enrollment of W. R. Cross, et al., as citizens of the Choctaw Nation.

Under the regulations adopted by the Commissioner to the Five Civilized Tribes, January 2, 1906, there was filed on February 9, 1906, by Cruce, Cruce & Bleakmore, attorneys for the petitioners, filed a petition praying for the enrollment of W. R. Cross, Mary Belle Cross, Marion Franklin Cross, Walter D. Cross, William Thomas Cross and James Lee Cross as citizens of the Choctaw Nation; said W. R. Cross claiming his right to enrollment as a citizen by intermarriage of the Choctaw Nation by reason of his marriage to Hanna Wells, nee Airington, deceased, who, it is claimed was a Choctaw Indian by blood. The other petitioners herein are the children of W. R. Cross and Silesma Cross, his second wife.

On August 23, 1906, William R. Cross, Overbrook, Indian Territory, Messrs. Cruce, Cruce & Bleakmore, attorneys for the petitioners, Ardmore, Indian Territory, and Mansfield, McMurray & Cornish, attorneys for the Choctaw and Chickasaw Nations, South McAlester, Indian Territory, were notified that the Commissioner would at his office at Muskogee, Indian Territory, on Monday, September 10, 1906, at nine o'clock, A M., hear such testimony and receive such other evidence as might be submitted in support of said petition.

Now, on this 10th day of September, 1906, at ten o'clock, A. M., the cause was called for hearing, the following appearances were entered and proceedings had:

APPEARANCES:

Petitioner, W. R. Cross, appears in person.
W. R. Bleakmore of the firm of Cruce, Cruce & Bleakmore, appears as attorney for the attorneys of the petitioners.
G. Rosenwinkle, representing Mansfield, McMurray & Cornish, attorneys for the Choctaw and Chickasaw Nations.

ELIZABETH BARNETT, BEING FIRST DULY SWORN BY E.Merrick, testified as follows:

(By the Commissioner)
Q What is your name? A Elizabeth Barnett.

How old are you? A 53.
Q What is your post office address? A Dibble .

(By Mr. Rosenwinkle)
The Nations object to any proceedings in this cause, and in support of the objection state that the petitioner, W. R. Cross was never married to his Choctaw Wife in accordance with the tribal laws of the Choctaw Nation, and further state that the right of this petitioner was fully determined by the Choctaw and Chickasaw Citizenship Court, acting within the provisions of of the Act of July 1, 1902.
As to the other petitioners, aside from any other objections that may be urged, we state that no application was ever made for their enrollment prior to December 1, 1905, and therefore the Commissioner is now without jurisdiction to hear or determine their right to enrollment.

(By Mr. Bleakmore)
Q You may state whether you are acquainted with the petitioner, W. R. Cross? A Yes, I am.
Q How long have you known him? A I guess he was about 7 or 8 years old, he was small when his stepmother married my uncle and we were raised within ahalf mile of each other, Children together.
Q He was raised where? A In the Choctaw Nation, on the Arkansas line, in Wolf County.
Q You may state whether you knew his wife, Hanna Wells?
A Yes, I knew her.
Q You may state whether or not she was related to you.
A She was my own sister--own born sister.

I would like to identify the witness as enrolled as a member of the Choctaw Nation of Indians by blood.

(By the Commissioner)
Q Have you a middle name? A No sir, Yes sir, Airington.
Q Have you any other name? A Jane.
Q What was the name of your father? A Airington.
Q What was his first name? A Drew, Drew Airington.
Q What was your mother's name? A Her name was Elizabeth?

The name of the witness appears upon the approved roll of citizens by blood of the Choctaw Nation opposite No.11666.

(By Mr. Bleakmore)
Q You may state what your maiden name was? A Airington.
Q Elizabeth Airington? A Yes, Elizabeth Airington- Elizabeth Jane Airington, I often forget the Jane because I was not called by it.
Q The maiden name of your sister , Hannah Wells, was Hannah Airington, was it? A Yes sir.
Q Before she was married to Mr. Cross, the applicant, had she been married to anyone else? A Nobody but that fellow, Wells.
Q You may state if you know the year she was married to Mr. Wells? A I don't remember, I never thought much about it, but it has been about, I guess--
Q You may state, if you know, how many years prior to her marriage to Mr. Cross, she married Wells. A Well, somewhere

about two.
Q About two years? A Somewheres along there, as well as I can remember.
Q You may state if you know what became of her first husband, Wells. A Well, he was lynched to the best of our understanding. My father when he went after my sister and met them, they said take her and go on home, we don't want her anyway, and he was lynched and that is all we ever heard.
Q You were living at that time in the Choctaw Nation, were you?
A No, at that time we were in the Chickasaw.
Q In the Chickasaw Nation? A Yes sir, and then we moved back to the Choctaw to my father's.
Q You may state whether it was reported currently and among your neighbors and acquaintances down there, that Wells had been lynched? A Yes sir, yes sir.

(By Mr. Rosenwinkle)
The Nations object to proving a specific fact by hearsay testimony.

(By Mr. Bleakmore)
Q Did you ever see Mr. Wells, after you heard the report of the lynching of Wells? A No sir.
Q Did you ever hear of him being alive after that time?
A No sir.
Q Did you live in the community or the neighborhood of your sister for a number of years after that? A Yes, we lived there and we moved away together.
Q If you know, you may state whether or not she was married to Mr. Cross, the applicant in this case? A Yes, she was married to him.
Q Did she live with him as his wife? A Yes sir.
Q For how many years? A Something near ten--nine or ten years, I think it was, as well as I remember, somewhere near ten years.
Q Were there any children born to her and Mr. Cross? A Yes.
Q Do you know their names? A Yes.
Q State them, please? A Arlander, George was the eldest he is dead--Charlie was the eldest-- George, Arlander, Charlie is dead. Arlander and George, George is dead.
Q One is dead? A Yes sir.
Q Are the other two alive? A Yes sir, the other two is alive. I get them mixed, their names mixed, George was the youngest and Arlander was the eldest. Charlie was the eldest.

(By the Commissioner)
The name of A G. Cross, the son of W. R. Cross and Hanna Cross appears on the approved roll of citizens by blood of the Choctaw Nation, opposite No. 421.
The name of George W. Cross, the son of W. R. Cross and Hanna Cross, appears upon the approved roll of citizens by blood of said Nation, opposite No. 425.

(By Mr. Rosenwinkle)
Q Now, Mrs. Barnett, have you been acquainted with Mr. Cross here, the applicant, for a number of years? A Yes sir, we

were raised together.
Q You knew him at the time he wasliving with this woman, Hannah Wells? A Yes sir.
Q Knew them well? A Yes sir.
Q When did you first learn that this man, Wells, was lynched?
A When my father went after her over there.
Q And when your father returned, did he tell you about it?
A He told me, of course, and everybody, I guess.
Q Did you hear him tell Mr. Cross? A He told everybody.
Q Did he tell everybody in the community that Wells was lynched?
A I am not positive.
Q That was the general understanding there in the community?
A Yes sir.
Q It wasn't reported around that he was sent to the penitentiary? A No sir, never heard that.
Q Never heard it? A No sir, never did at all.
Q After this alleged separation, or whatever it was, between your sister and Wells, she returned to her father's home?
A He went after her and brought her home.
Q About a year after that she married Mr. Cross? A Yes, I don't know whether it was a year, or a year and a half, or over two years, it was over two years.
Q Your sister has been dead about twenty years now, has she not?
A I don't know for sure how long she has been dead, I don't remember.
Q Did you ever see this man Wells? A Yes sir.
Q Do you know of your own personal knowledge that Wells and this other woman, your sister, was married?
A Yes, they were married.
Q Do you know of your own personal knowledge? A Yes sir, they were married.
Q Do you know that of your own personal knowledge? A I never saw them married.
Q Then you don't know it? A No, I don't know that, but I know the man that married them.
Q Well, you just heard it, you were not present when they were married? A No, I don't believe I was.

Witness excused.

ARCHIBALD J. S. BARNETT, being first duly sworn by E. Merrick, testified as follows:

(By the Commissioner)
Q What is your name? A Archibald J. S. Barnett.
Q How old are you? A 57.
Q What is your post office address? A Dibble, I. T.

(By Mr. Bleakmore)
Q You are the husband of the witness who has just left the stand? A Yes sir.
Q Are you acquainted with the applicant, William R. Cross?
A Yes sir.
Q How long have you known him? A About how long? A Ever since about '66--Ever since '66.
Q Were you acquainted with his former wife, Hannah Wells?
A Yes sir.

Q Were you acquainted with her husband? A Yes sir.
Q You may state, if you know, what became of Wells?
A I have only hearsay.
Q What did you hear? A My wife's father told me when I moved back to where he lived, just after he got his daughter, and I asked where Wells was, and he said he was lynched.

(By the Commissioner)
Q Where was Wells living at that time? A At Clarksville, Texas.

(By Mr. Bleakmore)
Q Was it after that time that the applicant was married to Hannah Wells? A Yes sir.
Q You may state whether they lived together after that as husband and wife in the Choctaw and Chickasaw Nations?
A Yes sir, lived together somewheres about nine or ten years, I do not remember.
Q Up until the time of her death? A Yes sir.
Q You may state what relation, if any, this woman was to your wife. A Said to be own sisters.

(By Mr. Rosenwinkle)
Q Were you well acquainted with Hannah Wells? A Yes sir.
Q Are you well acquainted with Sam Wells? A Not very well, I knew him about a year.
Q Did he live do n there in that neighborhood from '66 on up to '75 or '6? A No sir, he didn't live there much.
Q You first became acquainted with Sam Wells in 1866? A No.
Q When did you first become acquainted with Mr. Wells, about when? A It was sometime in '71.
Q You knew them from then on, up until he separated from his wife, which was about '77, or 8 or 9? A No, it wasn't that long?
Q Dont you know that he left his wife and went down in Texas and wasnot heard of again? A No sir, my recollection is that the time he was lynched was '73 or '74, and they lived together somewhere over a year before he was lynched, or said to be lynched.
Q You were pretty well acquainted around in the neighborhood, were you not? A Yes sir.
Q You knew the father of this woman, Hannah? A Yes sir.
Q Did you ever hear that Wells was sent to the penitentiary?
A No sir, I heard he were put in jail and taken out and lynched.
Q You know Mr. Cross here? A Yes sir.
Q Have you ever talked with him about it, at the time it transpired there. A I probably did, I don't remember about that.
Q So far as you know Mr. Cross was acquainted with the facts? At the time they occurred? A Mr. Cross was not in that county at the time it occurred, and he was somewhere near Fort Smith and came back here.
Q Well, at the time he married this woman, did he know anything about this occurrence? A I don't know sir.
Q Did you ever tell him? A Not as I remember of.
Q Did you ever hear anyone tell him? A No sir.
Q Wasn't it generally known over the neighborhood what occurred at that place?

A So far as I know the family always thought he was lynched.
Q You heard his wife talk about it? A Believed it strong enough to not get any divorce.
Q How long before, was he married to Elizabeth Jane Airington?
A I didn't know that he was ever married to Elizabeth Jane Airington at all, he was married to Hannah.
Q That is what I mean, I meant Hannah. How much time elapsed between the time that he was married to Hannah and the time that he waslynched? A Somewhere near two years, maybe a little over or a little under.
Q According to your best recollection, what year did the lynching take place. A It was somewhere about '73 or 74, it was in the winter of '73 and '74.
Q '73 and '74? A Yes sir.
Q Now, Mr. Barnett, don't you know, as a matter of fact, that this woman, Hannah Wells, had lived with her father several years before she married Mr. Cross? A No sir.
Q Your statement is that this trouble took place down there in Texas, and that her father went and brought her home. Don't you know, as a matter of fact, that Wells left her shortly after they were married and went down there in Texas and none of you people ever knew anything further about him?
A No sir, he taken her with him when he went to Texas.

Witness excused.

W. R. CROSS, being first duly sworn by E. Merrick, testified as follows:

(By the Commissioner)
Q Mr. Cross, what is your full name? A William Russell Cross.
Q How old are you, Mr. Cross? A I will be 54, the 22nd of September.
Q What is your post office address? A Overbrook.

(By Mr. Bleakmore)
Q Mr. Cross, in your application for enrollment, claiming rights as an intermarried citizen by reason of your marriage to Hanna Wells, you may state whether or not you were married to Hannah Wells, and if so when and where?
A Well sir, I was married in Arkansas in 1875, April, I think, the eighteenth.

(By Mr. Bleakmore) If it please the Commissioner, we offer in evidence the certificate of marriage of William R. Cross to Hannah Wells of date April 14, 1875, and which is now a part of the record in the case numbered 72 and of the records of the citizenship Court, we ask that. . . . (confers with the Commissioner) The applicant states that there is on file with the records of the Commissioner to the Five Civilized Tribes, in cause No. 52 of the Choctaw and Chickasaw Citizenship Court, entitled W. R. Cross Vs. Choctaw and Chickasaw Nations, under style of Writ of Error, the original marriage certificate of William R. Cross and Hannah Wells. Applicant requests that the original or a certified copy thereof be made a part of the testimony of this witness.

Q You may state whether or not that is the original certificate? A I cannot read or write.
Q Does it look like the same one? A It looks like the same one.

(By the Commissioner)
Q Is that the certificate? A Yes, that looks like the same one. I cannot read it myself, nor write neither.

(By Mr. Blackmore)
Q You went to Arkansas and procured a license, did you, to marry?
A Yes sir, I could not understand the ceremony and I--
Q Did you procure a marriage license in the state of Arkansas to marry Hannah Wells, just answer the question? A Yes sir.
Q And were you and Hannah Wells married under that license in the state of Arkansas? A Yes sir, yes sir.
Q And this is the certificate of the minister of your marriage, is it? A Yes sir.
Q Now, you may state whether or not you lived with her as your wife after that time? A Yes sir, we lived together about ten years until her death.
Q Up until the time of her death? A Yes sir.
Q You resided in the Indian Territory, in the Choctaw Nation, did you? A Yes sir, most all of the time, after I moved to the Chickasaw Nation, she died in about two weeks after I moved to the Chickasaw Nation.
Q You may state whether George Cross and A. G. Cross, whose names have been identified here are your sons and the sons of Hannah Wells? A Yes sir.
Q Hannah Cross. A Yes sir.
Q You may state whether the other applicants in this case are your children? A Yes sir.
Q Who is Mary Malinda Cross? A She is my child.
Q Mary Belle Cross your child? A Yes sir.
Q Marion Franklin Cross? A Yes sir.
Q Walter D. Cross? A Yes sir.
Q William Thomas Cross? A Yes sir.
Q And James Lee Cross are all your children? A Yes sir.
Q You may state whether or not after your first wife died you married again? A After she died I married another woman.
Q And her name was what? A Yes sir.
Q And her name was what? A Her name was, let's see, Salena Snow, we called her. Her maiden name was Nordo.

(By the Commissioner)
Q She was a white woman? A Yes sir.

(By Mr. Blackmore)
Q And she is the mother of the other applicants in this case?
A Yes sir.
Q You may state whether you have continuously resided in the Indian Teritory since your marriage to Hannah Cross?
A Yes sir, in the Chickasaw Nation, right on the place my first wife died on.

(By the Commissioner)
Q You are a white man, are you not, Mr. Cross? A Yes sir.

(By Mr. Reasonsible)
Q Did you know your Indian Wife's first husband? A Yes sir.
Q Did you know him well, and personally? A Yes sir, I lived right by them.
Q After he left your wife how long before you married? A Sir?
Q How long before you married your Indian wife when he left?
A Which, Mr. Wells?
Q After Wells left his wife, Hannah, how long before your marriage to her? A It was about a year or a year and a half.
Q About a year or a year and a half before you married her?
A Yes sir.
Q She didn't go to Texas with him, did she? A Yes sir.
Q She went to Texas with him? A Yes sir.
Q How long after she returned from Texas did you marry her?
A I do not recollect about the time when my father-in-law went after her, and I was in Fort Smith, Arkansas and when I came back that fall, she was there at home.
Q What fall? What fall was that? A Fall of '74.
Q How long had she been back there? A I say I don't know exactly what time he went and got her.
Q Did she tell you what became of her husband? A She supposed he was lynched, or went to the penitentiary, she didn't know exactly.
Q What did she tell you, did she tell you he was lynched?
A She said he was took, when she was there, she said he was took.
Q Did she know what had taken place? A No sir, she didn't.
Q Did you get any information from anyone else as to what had become of him? A Only from the people that lived around there.
Q What did her father say about it? A That they wouldn't tell him anything much about it except that he was lynched.
Q Did anyone else tell you about it, or is that the best information that you had what became of him? A There was two or three families that talked Indian and they all believed that he was lynched.
Q And that was the only information that you had at that time was it? A Yes sir.
Q Then why did you tell the Choctaw and Chickasaw Citizenship Court at South McAlester, in 1903, when you were on oath and testifying there--why did you give this testimony? The following questions were asked you: "Was Mr. Wells living or dead when you married her? A I think he was living; he was sent to the Penn and I never heard anything more of him, " how about that, why did you make that statement?
A I say that was wrong, he asked me if he was dead, I said he might be, I do not know.
Q You deny giving the testimony that I have just read?
A I said I don't know.
Q I said, that you deny giving the testimony that I have just read, just state whether you do or do not. A I say I never spoke it in those words, I said "he may be, I don't know."
Q Another question was asked, "How long prior to your marriage to her was he sent to the Penn?" You answered "I suppose it was a year, not much over a year." What have you to say about that? A I might have said that, I never thought much about it.
Q "By what court was he convicted and sent away? It was in Texas some place." What about that? A That is all right. I don't know anything about him being sent away.
Q You don't know about that? This question was asked you, "Then

Q Then you married her without knowing whether or not she had been divorced?" Answer, "I don't know whether they had any separation, but she said she would never live with him no how."
A I don't recollect speaking them words.
Q You stated a few moments ago in response to my question, you stated that when this trouble took place the father of Hannah Wells went to Texas and got her and took her back there and that she lived with her father up to the time of your marriage? A Yes sir.
Q Now this question was asked by the citizenship court, "Had Mrs. Wells returned to her father, when you married her?" and your answer was "Yes sir." "How long had she been back in the territory?" "About a year", what have you to say about that? A That is all right, I guess. I guess I was just guessing at it.

Witness excused.

MR. BARNETT, recalled:

(By Mr. Bleakmore)
Q You may state to the Commissioner, if you know, what was the charge against Wells down in Texas, what was the charge against him? A They told me when I got back to the territory.

(By Mr. Rosenwinkle)
We object to any hearsay. But if he knows, I am willing.
Q
(By Mr. Bleakmore)
Q What did you hear about it? A Of course I wasn't living there, I was living at the time
Q State what you heard about it.

(By Mr. Rosenwinkle)
I would like to have an objection entered-- really is incompetent.

(By the Commission)
He might answer the question.

(By Mr. Bleakmore)
Q Answer the question now, what your information was.
A My information was that he was taken out and lynched for raping a nine year old girl, that was my information of it.

(By Mr. Rosenwinkle)
Q Who was the negro girl? A I dont know.
Q Where did she live? A Somewhere about Clarksville.
Q What jail was he taken to? A Clarksville..
Q Do you know that? A My father-in-law wrote me about it.
Q Your father-in-law wrote you about that? A Yes sir, and then when I got back he told me he got the girl and brought her here, said he enquired and they told him it was no use to enquire, he was lynched.

W. R. Cross, et al..... ...10.

(By Mr. Bleakmore)
If the court pleases and can consistently, I would like to leave this case open for about fifteen days, until I have a chance to investigate the records down there and find out if there is any record of this case in the State of Texas. I know there were a number of court houses down there destroyed, but do not know anything about this one, and I would like to have an oppertunity to investigate the matter before the close of the testimony in the case.

(By Mr. Rosenwinkle)
I think it is a matter for the Commissioner to pass upon, I have no suggestions one way or another.

(By Mr. Bleakmore) Give me fifteen days, if the court pleases.

(By the Commissioner)
The request of the attorney for the petitioners will be granted, and the case will be held open for fifteen days.

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Kate DeBord, stenographer to the Commissioner to the Five Civilized Tribes, being first duly affirmed, states that she correctly reported all proceedings had in the above entitled cause on September 10, 1906, and that the above and foregoing is a full, true and complete transcript of her stenographic notes t taken in said case on said date.

Kate DeBord.

Subscribed and affirmed to before me this 12th day of September, 1906.

Walter W. Chappell

Notary Public.

(DCFK)

State of Arkansas }
County of Polk. } Aprile the 14th, 1875.

I do hereby certify that I am a legal ordaind Minister of the gospel of the primitive Baptist faith & is leagasy orthrised to solemnise matrimony I do further cirtify that I did this day joine in matrimony William R. Cross & Hannah Wells in witness thereoff my hand and seal the date Above written.

William W.Green, M.G. Spcl.

Kate DeBord, stenographer to the Commissioner to the Five Civilized Tribes, being first duly affirmed, states that the above and foregoing is a full and correct copy of the certificate of marriage filed in the Choctaw-Chickasaw Citizenship Case of W. R. Cross vs. Choctaw and Chickasaw Nations, #56m.

Kate DeBord.

Subscribed and affirmed to before me this 4th day of January, 1906.

Walter W. Chappell
Notary Public.

C- 71
7-5196

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of WILLIAM R. CROSS, et al., as citizens of the Choctaw Nation.

D E C I S I O N.

It appears from the record herein and from the records in the possession of the Commissioner to the Five Civilized Tribes that application was made to the Commission to the Five Civilized Tribes at Ardmore, Indian Territory, September 24, 1898, by William R. Cross for the enrollment of himself as an intermarried citizen of the Choctaw Nation, and for the enrollment of his minor daughter, Mary M. Cross, as a citizen of the Choctaw Nation.

It further appears from the records in the possession of the Commissioner to the Five Civilized Tribes that application was made to the Commission to the Five Civilized Tribes on September 7, 1896, for the admission of William R. Cross as a citizen by intermarriage of the Choctaw Nation under the provisions of the Act of Congress approved June 10, 1896 (29 Stats., 321), (1896 Choctaw citizenship case No. 761); that said application was denied by the Commission to the Five Civilized Tribes on December 3, 1896.

From this decision an appeal was taken to the United States Court for the Central District of Indian Territory, which Court on August 25, 1897, rendered a judgment reversing the decision of the Commission and admitting said William R. Cross as a citizen by intermarriage of the Choctaw Nation.

Said judgment was subsequently vacated, set aside and held for naught by a decree of the Choctaw-Chickasaw Citizenship Court of December 17, 1902, in the test case of "Choctaw and Chickasaw Nations or Tribes vs. J. T. Riddle, et al."

Said cause was subsequently certified to the Choctaw-Chickasaw Citizenship Court created under the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641), for a trial de novo, and on February 29, 1904, in the case entitled "William R. Cross vs. Choctaw and Chickasaw Nations" (Choctaw-Chickasaw Citizenship Court case No. 52, South McAlester Docket), said Citizenship Court rendered a judgment therein wherein it was "ordered and adjudged and decreed that the petition of the plaintiff, William R. Cross, be denied and that he be not deemed an intermarried citizen of the Choctaw Nation and not entitled to enrollment as such or to any rights whatever flowing therefrom".

On May 27, 1904, the Commission to the Five Civilized Tribes issued an order dismissing the application for the enrollment of Mary M. Cross as a citizen of the Choctaw Nation for the reason that the rights of her father, William R. Cross, to citizenship in the Choctaw Nation had been adversely determined by the Choctaw-Chickasaw Citizenship Court.

Under the regulations adopted by the Commissioner to the Five Civilized Tribes January 2, 1906, there was filed on February 9, 1906, by Cruce, Cruce and Bleakmore, attorneys for the petitioners, a petition praying for the enrollment of W. R. Cross as an intermarried citizen of the Choctaw Nation and for the enrollment of Mary Melinda Cross, Mary Belle Cross, Marion Franklin Cross, Walter D. Cross, William Thomas Cross and James Lee Cross as citizens of the Choctaw Nation.

The petitioners, William R. Cross and Mary Melinda Cross, are identical with the persons for whose enrollment application was made in 1898.

The record herein shows that said W. R. Cross is a white man and claims a right to enrollment as a citizen by intermarriage of the Choctaw Nation by reason of his marriage on April 14, 1875, to Hanna Wells, whose maiden name was Hanna Airington, and who is alleged to have been a Choctaw Indian by blood.

The petitioners, William Thomas Cross, age 17 years, Walter D. Cross, age 15 years, Marion F. Cross, age 11 years, James Lee Cross, age 6 years, Mary Belle Cross, age 2 years, Mary Melinda Cross, deceased, who appears from the records of this office to have been born in 1898, are the children of the said William R. Cross and Silemma Snow, a white woman, to whom said W. R. Cross was married subsequent to the death of his first wife, Hanna Cross.

It appears from the records in the possession of the Commissioner to the Five Civilized Tribes that A. G. Cross and George W. Cross, children of the said W. R. Cross and Hanna Cross, have been enrolled as citizens by blood of the Choctaw Nation, and their names appear on the final roll of citizens by blood of said Nation opposite Nos. 421 and 425, respectfvely.

The record herein shows that prior to the marriage of W. R. Cross to Hanna Cross, said Hanna Cross was married to a man by the name of Wells, from whom she was never divorced and who was reported to have been "lynched" in the State of Texas about a year or a year and a half before her marriage to William R. Cross. The evidence in regard to the alleged "lynching" is hearsay; no positive proof is submitted to the fact that said lynching actually occurred or that said Wells was not living on April 14, 1875, the date on which said Hanna Wells was married to William R. Cross.

In the case of Emma Davis, applicant for enrollment as an intermarried citizen of the Choctaw Nation, wherein it was shown that at the time of the applicant's marriage to her Choctaw husband he had not been divorced from a woman to whom he had been previously married, the Department held on September 5, 1905 (I.T.D. 9548-1905), that "in the absence of a prima facie showing that Davis' wife, Em Sturgeon, was dead at the time of his marriage to Emma Low, the Department must deny the application for a re-hearing."

I am of the opinion that the applicant, William R. Cross, has failed to make a prima facie showing that at the time of his marriage to Hanna Wells, the former husband of said Hanna Wells was dead, and that following the ruling of the Department in the case of Emma Davis above cited, the application for the enrollment of William R. Cross as a citizen by intermarriage of the Choctaw Nation and the petition herein, in so far as same applies to said William R. Cross, should be denied, under the provisions of the Act of Congress approved July 1, 1902 (32 Stat., 641), and it is so ordered.

I am further of the opinion that the petition herein, in so far as same applies to the petitioner, Mary Malinda Cross, whose application for enrollment as a citizen of the Choctaw Nation has heretofore been dismissed by the Commission to the Five Civilized Tribes, should be dismissed, and it is so ordered.

I am further of the opinion that the petition herein in so far as same applies to the petitioners, William Thomas Cross, Walter D. Cross, Marion P. Cross, James Lee Cross and Mary Belle Cross should be considered as an application for the enrollment of said petitioners under the provisions of the Act of Congress approved April 26, 1906 (34 Stats., 137), and that under the provisions of said Act as amended by the provisions of the Act of Congress approved June 21, 1906 (34 Stats., 325), said petition should be denied, and it is so ordered.

Commissioner.

Muskogee, Indian Territory,

JAN 28 1907

C-71
7-5195.

COPY

Muskogee, Indian Territory, January 28, 1907.

William R. Cross,

Overbrook, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered January 28, 1907, denying the application and petition for your enrollment as a citizen by intermarriage, and for the enrollment of William Thomas Cross, Walter D. Cross, Marion F. Cross, James Lee Cross and Mary Belle Cross and dismissing the petition for the enrollment of Mary Melinda Cross as citizens of the Choctaw Nation.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED Tams Bixby

Commissioner.

Registered.
Incl. C-71

C-71
7-5196

COPY

Muskogee, Indian Territory, January 28, 1907.

Cruce, Cruce & Bleakmore,

Attorneys at Law,

Ardmore, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered January 28, 1907, denying the application and petition for the enrollment of William R. Cross as a citizen by intermarriage, and for the enrollment of William Thomas Cross, Walter D. Cross, Marion F. Cross, James Lee Cross and Mary Belle Cross, and dismissing the petition for the enrollment of Mary Melinda Cross as citizens of the Choctaw Nation.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED Tams Bixby

Commissioner.

Registered.
Incl. C-71

C-71
7-5195

COPY

Muskogee, Indian Territory, January 28, 1907 .

Mansfield, McMurray & Cornish.

Attorneys for the Choctaw and Chickasaw Nations.

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered January 28, 1907, denying the application and petition for the enrollment of WilliamR. Cross as a citizen by intermarriage, and for the enrollment of William Thomas Cross, Walter D. Cross, Marion F. Cross, James Lee Cross and Mary Belle Cross, and dismissing the petition for the enrollment of Mary Melinda Cross as citizens of the Choctaw Nation.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED *Tams Bixby*

Commissioner.

Incl. C-71

COPY

Muskogee, Indian Territory, January 28, 1907.

The Honorable,

The Secretary of the Interior:

Sir:

There is transmitted herewith record of proceedings in the matter of the enrollment of William R. Cross et al as citizens of the Choctaw Nation including the decision of the Commissioner to the Five Civilized Tribes, dated January 28, 1907, denying the application and petition for the enrollment of William R. Cross as a citizen by intermarriage, for the enrollment of William Thomas Cross, Walter D. Cross, Marion F. Cross, James Lee Cross and Mary Belle Cross, and dismissing the petition for the enrollment of Mary Melinda Cross as citizens of the Choctaw Nation.

Respectfully,

SIGNED Tams Bixby

Commissioner.

2 Incls: C-71

Through the
Commissioner of Indian Affairs.

G.M.

O.K.

DEPARTMENT OF THE INTERIOR,

D.C. 22239-1907. WASHINGTON.
I.T.D. 5290-1907.
L RS.

March 1, 1907.

Direct.

Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:

In conformity with the opinion of the Attorney General for the United States, of February 19, 1907 (I.T.D. 4864), in the consolidated case of Myrtle Randolph et al., your decision of January 28, 1907, denying the application of William R. Cross, for his enrollment as an intermarried citizen of the Choctaw Nation, and denying the application for the enrollment of Mary Melinda Cross, William Thomas Cross, Walter D. Cross, Marion F. Cross, James Lee Cross, and Mary Belle Cross, for enrollment as citizens of the Choctaw Nation, is hereby affirmed.

You will advise applicants and their attorneys of this action. Copy of Indian Office letter of February 27, 1907, inclosed.

The record has this day been returned for the files of the Indian Office, together with a carbon copy hereof.

Respectfully,

Jesse E. Wilson.

Assistant Secretary.

1 inc. and 2 incs. for
Ind Off.
A J Mc
3-1-07.

Refer in reply to the following. 6077.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON.

Land.
10196-1907.

February 26, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed the record of proceedings in the matter of the application for the enrollment of William R. Cross, et al., as citizens of the Choctaw Nation, including the decision of the Commissioner to the Five Civilized Tribes, dated January 28, 1907, denying the application and petition for the enrollment of William R. Cross as a citizen by intermarriage; also denying the enrollment of William Thomas Cross, Walter D. Cross, Marion F. Cross, James Lee Cross, and Mary Belle Cross, and dismissing the petition for the enrollment of Mary Melinda Cross as citizens of the Choctaw Nation.

The record shows that application was made to the Commissioner to the Five Civilized Tribes for the enrollment of the applicants herein within the time limited by law. The record further shows that William R. Cross is a white man and claims his right to enrollment as a citizen by intermarriage of the Choctaw Nation by reason of his marriage on April 14, 1875 to Hanna Wells, whose maiden name was Hanna Arington, and who is alleged to have been a Choctaw Indian by blood. It is also shown that William

Thomas Cross, Walter R. Cross, Mary Neff Cross, James R. Cross, Mary Belle Cross, and Mary Melinda Cross, deceased, are the children of William R. Cross and Silesma Snow, a white woman, to whom William R. Cross was married subsequent to the death of his first wife, Hanna Cross.

The record further shows that prior to the marriage of William R. Cross to Hanna Cross, Hanna Cross was married to a man by the name of Wells, from whom she was never divorced and who was reported to have been lynched in the state of Texas about a year or a year and a half before her marriage to William R. Cross.

Commissioner Bixby reports that the evidence in regard to the alleged lynching is hearsay; no positive proof was submitted to the fact that the lynching actually occurred or that Wells was not living on April 14, 1875, the date on which Hanna Wells was married to William R. Cross.

Inasmuch as William R. Cross has failed to make out a prima facie showing that at the time of his marriage to Hanna Wells the former husband of Hanna Wells was dead, and following the ruling of the Department of September 5, 1905 (1.T.D. 9548), in the case of Emma Davis, the Office concurs in the decision of Commissioner Bixby denying the enrollment of William R. Cross as a citizen by intermarriage of the Choctaw Nation under the provisions of the act of July 1, 1902 (32 Stat. L., 641). The Office also concurs in the decision of Commissioner Bixby denying

the enrollment of William Thomas Green, Walter B. Green, Mary Neff Green, James Lee Green, Mary Belle Green, and Melinda Green, deceased, under the provisions of the Act of April 26, 1906 (34 Stat. L., 137), as amended by the Act of June 21, 1906 (34 Stat. L., 325).

Very respectfully,

E. B. Meritt,

Acting Commissioner.

EBM-D

7-5195.

Muskogee, Indian Territory, April 16, 1907.

William R. Cross,

Crowbrook, Indian Territory.

Dear Sir:

You are hereby advised that on March 1, 1907, the Secretary of the Interior affirmed the decision of this office of January 28, 1907, denying the application and petition for your enrollment as a citizen by intermarriage, and for the enrollment of William Thomas Cross, Walter D. Cross, Marion F. Cross, James Lee Cross and Mary Belle Cross and dismissing the petition for the enrollment of Mary Melinda Cross as citizens of the Choctaw Nation.

Respectfully,

Commissioner.

7-5195.

Muskogee, Indian Territory, April 16, 1907.

Cruce, Cruce & Bleakmore,
Attorneys at Law,
Ardmore, Indian Territory.

Gentlemen:

You are hereby advised that on March 1, 1907, the Secretary of the Interior affirmed the decision of this office of January 28, 1907, denying the application and petition for the enrollment of William R. Cross as a citizen by intermarriage, and for the enrollment of William Thomas Cross, Walter D. Cross, Marion F. Cross, James Lee Cross and Mary Belle Cross, and dismissing the petition for the enrollment of Mary Melinda Cross as citizens of the Choctaw Nation.

Respectfully,

Commissioner.

7-5196.

Muskogee, Indian Territory, April 16, 1907.

Mansfield, McMurray & Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on March 1, 1907, the Secretary of the Interior affirmed the decision of this office of January 28, 1907, denying the application and petition for the enrollment of William R. Cross as a citizen by intermarriage, and for the enrollment of William Thomas Cross, Walter D. Cross, Marion F. Cross, James Lee Cross and Mary Belle Cross, and dismissing the petition for the enrollment of Mary Melinda Cross as citizens of the Choctaw Nation.

Respectfully,

Commissioner.

Dld

7-5195.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

---o---

In the matter of the application for the enrollment of Mary M. Cross as a citizen of the Choctaw Nation.

---o---

The applicant, Mary M. Cross, claims her right to enrollment as a citizen of the Choctaw Nation through her father William R. Cross. The right of the applicant's father, William R. Cross, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, February 29, 1904, in case No. 52, upon the South McAlester docket of said court, it is hereby ordered that the application of Mary M. Cross for enrollment as a citizen of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Chairman.

Muskogee, Indian Territory,

Muskogee 6.26

COPY.

Muskogee, Indian Territory, June 2, 1904.

William H. [redacted],
[redacted], Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commissioner to the Five Civilized Tribes, dated May 25, 1904, dismissing the application for enrollment as a citizen of the Cherokee Nation of Mary M. Cross.

Respectfully,

SIGNED

Tams Bixby.

Chairman.

Registered.
Inf. Watson.

Choctaw 5198

COPY.

Muskogee, Indian Territory, June 7, 1904.

Potter & Potter,
Attorneys at Law,
Okmulgee, Creek Nation.

Gentlemen:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated May 27, 1904, dismissing the application for enrollment as a citizen of the Choctaw Nation of Mary M. Grimm.

Respectfully,

Tams Bixby.
Chairman.

Registered.
Incl. 7-5198.

Choctaw 2196

COPY.

Muskogee, Indian Territory, June 7, 1904.

Mansfield, McMurray & Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated May 27, 1904, dismissing the application for enrollment as a citizen of the Choctaw Nation of Mary M. Crane.

Respectfully,

(SIGNED)

Tams Bixby.
Chairman.

Registered.

Encl. 1-2196.

(See Choctaw 5334 for registry receipt for this letter.)

Muskogee, Indian Territory, July 18, 1902.

Mr. William R. Gross,

Overbrook, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of James Lee Gross, the infant son of William R. and Mary E. Gross, born May 20, 1900, and the same is returned to you herewith stamped "refused" for the reason that the Commission cannot consider the same as an application for enrollment of this child as a citizen of the Choctaw Nation.

It appears from our records that William R. Gross, father of this child, is a white man having no Choctaw blood, and that his rights to citizenship in the Choctaw Nation are by virtue of a judgment of the United States Court for the Central District of the Indian Territory, rendered at South McAlester, I. T., August 25, 1897, in Court Case No. 180, entitled William R. Gross vs. Choctaw Nation. The judgment of the Court admits said William R. Gross as a citizen by intermarriage of the Choctaw Nation or tribe of Indians and to all the rights and privileges of such citizen. The mother of this child, Mary E. Gross, appears from our records as a white woman having no status as a citizen of the Choctaw Na-

Nation either by blood or by intermarriage.

The twenty-first section of the act of Congress of June 28, 1898, under which this Commission is preparing a roll of the citizens of the Choctaw Nation, provides as follows:

> "Said commission is authorized and directed to make correct rolls of the citizens by blood of all the other tribes, elimination from the tribal rolls such names as may have been placed thereon by fraud or without authority of law, enrolling such only as may have lawful right thereto, and their descendants born since such rolls were made, with such intermarried white persons as may be entitled to Choctaw and Chickasaw citizenship under the treaties and the laws of said tribes."

Under the authority so vested in the Commission, we are of the opinion that an application for the enrollment of a child, an offspring of two white persons having no Choctaw blood, cannot be considered, and for this reason the application submitted by you is returned marked "refused."

Yours truly,

Acting Chairman.

7-5195

MoM
10

7-210
7-211
7-6198

Muskogee, Indian Territory, October 6, 1903.

Potter & Potter,

Attorneys at Law,

Gainesville, Texas.

Gentlemen:

Receipt is hereby acknowledged of your letter of September 24, 1903, requesting a certificate relative to the enrollment of one Hanna Arrington, a Choctaw Indian by blood, who, in 1869 or 1870 married a man by the name of Sam Wells, and subsequent thereto, in 1875, married W. R. Cross, and that she died about 1884.

You state further that her husband, W. R. Cross, believes that she appears upon the rolls of the Choctaw Nation under her maiden name, and also under the name of Cross.

You further request that you be furnished with a certificate as to the enrollment of her two sons, G. W. and Orlando C. Cross.

You are informed that a careful examination has been made of the tribal rolls of the Choctaw Nation now in possession of the Commission and the name of Hanna Arrington, or Hanna Cross, is not found thereon.

You are further informed it appears from our records that George W. Cross, son of W. R Cross, a white man, and Hannah Cross,

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Trust 7-210 7-211 7-191

deceased, has been duly listed for enrollment as a citizen by blood of the Choctaw Nation by this Commission and his enrollment as such approved by the Secretary of the Interior December 12, 1902.

It further appears from our records that A. G. Cross, son of W. R. Cross, a white man, and Hannah Cross, deceased, has been duly enrolled as a citizen by blood of the Choctaw Nation by this Commission and his enrollment as such approved by the Secretary of the Interior December 12, 1902, and a certificate to the enrollment of George W. and A. G. Cross is enclosed herewith.

It further appears from our records that the given name of A. G. Cross is Allander G; it is therefore, believed that this is the party referred to in your letter as Orlando C. Cross. If not, a further communication from you relative to the matter will receive prompt attention.

Respectfully,

Chairman.

Enc. MT. 159

Choctaw 5195.

Muskogee, Indian Territory, July 11, 1904.

William R. Cross,

Overbrook, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of July 3rd, in which you state that you have learned through the papers that you were turned down as a citizen of the Choctaw Nation, but that you are entitled to enrollment as such and do not think you got justice. You therefore appeal to the Commission in regard to your case.

In reply to your letter, you are informed that under the provisions of the Act of Congress, approved July 1, 1902, the Commission is prohibited from enrolling or making allotment to persons whose citizenship in the Choctaw and Chickasaw Nations is dependent upon judgment of the United States Courts of Indian Territory, until their right to such citizenship is finally determined.

The Choctaw and Chickasaw Citizenship Court, having passed upon your case adversely, the Commission is now without jurisdiction therein.

Respectfully,

Chairman.

7-5705

Muskogee, Indian Territory, September 17, 1904.

W. R. Cross,

Overbrook, Indian Territory.

Dear Sir:-

Receipt is hereby acknowledged of your letter of August 20, 1904 addressed to the Secretary of the Interior and by him referred to this Commission for consideration and appropriate action. Therein you request to be advised relative to your right to enrollment as an intermarried citizen of the Choctaw Nation.

It appears from our records that the judgment of the United States Court rendered at South McAlester, Indian Territory August 25, 1897 admitting you as an intermarried citizen of the Choctaw Nation, was vacated and set aside by the decree of the Choctaw-Chickasaw citizenship court December 17, 1903.

It further appears from our records that on February 23, 1904 the Choctaw-Chickasaw citizenship court denied your rights to citizenship in the Choctaw Nation in Choctaw-Chickasaw citizenship court case number fifty-two and this Commission is now without authority to enroll you as an intermarried citizen of the Choctaw Nation.

Respectfully,

Chairman.

Choctaw 8198

Muskogee, Indian Territory, December 22, 1904.

W. R. Cross,

Overbrook, Indian Territory,

Dear Sir:

Your letter of December 5, 1904, addressed to the Secretary of the Interior, has been by him referred to the Commission to the Five Civilized Tribes for consideration and appropriate action. Therewith you inclose copy of affidavit of Archibald J. S. Barnett and Elizabeth Barnett relative to your right to enrollment as an intermarried citizen of the Choctaw Nation and copy of the Commission's letter to you of September 17, 1904.

In reply to your letter you are advised that the Choctaw and Chickasaw Citizenship Court having denied your rights as an intermarried citizen of the Choctaw Nation, the Commission is without further jurisdiction in your case.

The affidavit and letter inclosed with your communication are herewith returned.

Respectfully,

Chairman.

AB 4-22

7-5198

Muskogee, Indian Territory, December 27, 1905.

W. R. Cross,

Overbrook, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter, without date, stating that you have an application pending for your enrollment as an intermarried citizen of the Choctaw Nation and asking that the Chickasaw Land Office be notified to set aside land for your allotment.

In reply you are advised that it appears from the records of this office that on December 1, 1905, you made application to institute contest against Sarah E. Culbertson, George Washington Cross and Cordie Bell Cross for certain land in sections 26 and 27, township 6 south, range 2 east and these applications to institute contest are still pending. It is not therefore known why you desire to have the Chickasaw Land Office notified to set aside land for your prospective allotment.

Respectfully,

Acting Commissioner.

S.E.

O.K.

DEPARTMENT OF THE INTERIOR,

D.C. 12336-1907. WASHINGTON.
I.T.D. 8290-1907.
L RR.

March 1, 1907.

Dirsia.

Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:

In conformity with the opinion of the Attorney General for the United States, of February 19, 1907 (I.T.D. 4564), in the consolidated case of Myrtle Randolph et al., your decision of January 28, 1907, denying the application of William R. Cross, for his enrollment as an intermarried citizen of the Choctaw Nation, and denying the application for the enrollment of Mary Melinda Cross, William Thomas Cross, Walter D. Cross, Marion F. Cross, James Lee Cross, and Mary Belle Cross, for enrollment as citizens of the Choctaw Nation, is hereby affirmed.

You will advise applicants and their attorneys of this action. Copy of Indian Office letter of February 27, 1907, inclosed.

The record has this day been returned for the files of the Indian Office, together with a carbon copy hereof.

Respectfully,

Jesse R. Wilson.

Assistant Secretary.

1 inc. and 2 ins. for
Ind Off.
A J Mc
3-1-07.

Refer in reply to the following. COPY.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON.

Land,
10134-1907.

February 26, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed the record of proceedings in the matter of the application for the enrollment of William R. Cross, et al., as citizens of the Choctaw Nation, including the decision of the Commissioner to the Five Civilized Tribes, dated January 28, 1907, denying the application and petition for the enrollment of William R. Cross as a citizen by intermarriage; also denying the enrollment of William Thomas Cross, Walter D. Cross, Marion F. Cross, James Lee Cross, and Mary Belle Cross, and dismissing the petition for the enrollment of Mary Melinda Cross as citizens of the Choctaw Nation.

The record shows that application was made to the Commissioner to the Five Civilized Tribes for the enrollment of the applicants herein within the time limited by law. The record further shows that William R. Cross is a white man and claims his right to enrollment as a citizen by intermarriage of the Choctaw Nation by reason of his marriage on April 14, 1878 to Hanna Wells, whose maiden name was Hanna Arington, and who is alleged to have been a Choctaw Indian by blood. It is also shown that William

Thomas Cross, Walter B. Cross, Mary Neff Cross, James R. Cross, Mary Belle Cross, and Mary Melinda Cross, deceased, are the children of William R. Cross and Silesma Snow, a white woman, to whom William R. Cross was married subsequent to the death of his first wife, Hanna Cross.

The record further shows that prior to the marriage of William R. Cross to Hanna Cross, Hanna Cross was married to a man by the name of Wells, from whom she was never divorced and she was reported to have been lynched in the state of Texas about a year or a year and a half before her marriage to William R. Cross.

Commissioner Bixby reports that the evidence in regard to the alleged lynching is hearsay; no positive proof was submitted to the fact that the lynching actually occurred or that Wells was not living on April 14, 1875, the date on which Hanna Wells was married to William R. Cross.

Inasmuch as William R. Cross has failed to make out a prima facie showing that at the time of his marriage to Hanna Wells the former husband of Hanna Wells was dead, and following the ruling of the Department of September 8, 1905 (1.T.D. 9548), in the case of Emma Davis, the Office concurs in the decision of Commissioner Bixby denying the enrollment of William R. Cross as a citizen by intermarriage of the Choctaw Nation under the provisions of the act of July 1, 1902 (32 Stat. L., 641). The Office also concurs in the decision of Commissioner Bixby denying

the enrollment of William Thomas Cross, Walter B. Cross, Mary Neff Cross, James Lee Cross, Mary Belle Cross, and Malinda Cross, deceased, under the provisions of the Act of April 26, 1906 (34 Stat. L., 137), as amended by the Act of June 21, 1906 (34 Stat. L., 325).

Very respectfully,

C. F. Larrabee,

Acting Commissioner.

KEM-D

G.R.
O.K.

DEPARTMENT OF THE INTERIOR,

D.C. 12338-1907. WASHINGTON.
I.T.D. 5290-1907.
L RS.

March 1, 1907.

Direct.

Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:

In conformity with the opinion of the Attorney General for the United States, of February 19, 1907 (I.T.D. 4564), in the consolidated case of Myrtie Randolph et al., your decision of January 28, 1907, denying the application of William R. Cross, for his enrollment as an intermarried citizen of the Choctaw Nation, and denying the application for the enrollment of Mary Melinda Cross, William Thomas Cross, Walter D. Cross, Marion F. Cross, James Lee Cross, and Mary Belle Cross, for enrollment as citizens of the Choctaw Nation, is hereby affirmed.

You will advise applicants and their attorneys of this action. Copy of Indian Office letter of February 27, 1907, inclosed.

The record has this day been returned for the files of the Indian Office, together with a carbon copy hereof.

Respectfully,

Jesse E. Wilson.

Assistant Secretary.

1 inc. and 2 inc. for
Ind Of.
A F Mc
3-1-07.

COPY.

Refer in reply to the following.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFIARS,
WASHINGTON.

Land.
10196-1907.

February 26, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed the record of proceedings in the matter of the application for the enrollment of William R. Cross, et al., as citizens of the Choctaw Nation, including the decision of the Commissioner to the Five Civilized Tribes, dated January 28, 1907, denying the application and petition for the enrollment of William R. Cross as a citizen by intermarriage; also denying the enrollment of William Thomas Cross, Walter D. Cross, Marion F. Cross, James Lee Cross, and Mary Belle Cross, and dismissing the petition for the enrollment of Mary Melinda Cross as citizens of the Choctaw Nation.

The record shows that application was made to the Commissioner to the Five Civilized Tribes for the enrollment of the applicants herein within the time limited by law. The record further shows that William R. Cross is a white man and claims his right to enrollment as a citizen by intermarriage of the Choctaw Nation by reason of his marriage on April 14, 1895 to Hanna Wells, whose maiden name was Hanna Arington, and who is alleged to have been a Choctaw Indian by blood. It is also shown that William

Thomas Cross, Walter D. Cross, Mary Neff Cross, James E. Cross, Mary Belle Cross, and Mary Melinda Cross, deceased, are the children of William R. Cross and Silemma Snow, a white woman, to whom William R. Cross was married subsequent to the death of his first wife, Hanna Cross.

The record further shows that prior to the marriage of William R. Cross to Hanna Cross, Hanna Cross was married to a man by the name of Wells, from whom she was never divorced and who was reported to have been lynched in the State of Texas about a year or a year and a half before her marriage to William R. Cross.

Commissioner Bixby reports that the evidence in regard to the alleged lynching is hearsay; no positive proof was submitted to the fact that the lynching actually occurred or that Wells was not living on April 14, 1875, the date on which Hanna Wells was married to William R. Cross.

Inasmuch as William R. Cross has failed to make out a prima facie showing that at the time of his marriage to Hanna Wells the former husband of Hanna Wells was dead, and following the ruling of the Department of September 5, 1905 (1.T.D. 9548), in the case of Emma Davis, the Office concurs in the decision of Commissioner Bixby denying the enrollment of William R. Cross as a citizen by intermarriage of the Choctaw Nation under the provisions of the act of July 1, 1902 (32 Stat. L., 641). The Office also concurs in the decision of Commissioner Bixby denying

the enrollment of William Thomas Cross, Walter D. Cross, Mary Neff Cross, James Lee Cross, Mary Belle Cross, and Melinda Cross, deceased, under the provisions of the Act of April 26, 1906 (34 Stat. L., 137), as amended by the Act of June 21, 1906 (34 Stat. L., 325).

Very respectfully,

C. F. Larrabee,

Acting Commissioner.

MBM-D

Chac Site Henry G. Jackson

NR Nomination June 4, 1984

Notices and decisions in 7-5200

See Pat # CHAS

9115

MARRIAGE LICENSE.

No. 915.

UNITED STATES OF AMERICA.)
The Indian Territory,) ss.
central district.)

To An Person Authorized by Law to Solemnize Marriage--Greeting:

You are hereby commanded to solemnize the Rite and publish the BANS OF MATRIMONY between Mr. T. D. Shipman of Durant in the Indian Ter itory, aged 19 years, and Miss Thanie Askew of Durant in the Indian Territory, aged 18 years, according to law, and do you officially sign and return this License to the parties therein named.

WITNESS my hand and official seal, this 11th day of Dec. A.D. 1900.

E.J.Fannin
Clerk of the United States Court.

Don J. Folsom
Deputy.

CERTIFICATE OF MARRIAGE.

United States of America,
Indian Territory,
Central District.

I, L.M. Chisholm a Minister of the Gospel do hereby CERTIFY, that on the 19day of Dec. A.D. 1900 I did duly and according to law, as commanded in the foregoing License, solemnize the Rite and publish the BANS OF MATRIMONY between the parties therein named.

Witness my hand this 19 day of Dec. A.D.1900.

My credentials are recorded in the office of the Clerk of the United States Court in the Indian Territory, 3rd District, Book A. Page 118.

L.M. Chisholm
a Minister of the Gospel.

T-6196. DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

-oOo-

In the matter of the application for the enrollment of Ethel Jackson (Orie Ethel Jackson) as a citizen of the Choctaw Nation.

COPY.

The applicant, Ethel Jackson (Orie Ethel Jackson), claims her right to enrollment as a citizen of the Choctaw Nation through her mother, Mary E. Jackson (or Mary Ellen Jackson).

The right of the applicant's mother, Mary E. Jackson (or Mary Ellen Jackson), to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court on September 19, 1904, in case No. 1 upon the Tishomingo Docket of said court, it is hereby ordered that the application of Ethel Jackson (Orie Ethel Jackson) for enrollment as a citizen of the Choctaw Nation, be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

(SIGNED) Tams Bixby
Chairman.

Muskogee, Indian Territory,

NOV 12 1904

Choctaw 5196

COPY.

Muskogee, Indian Territory, November 12, 1904.

Mary Ellen Jackson,

Willis, Indian Territory,

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated November 12, 1904, dismissing the application for the enrollment of Ethel Jackson (Orie Ethel Jackson) as a citizen of the Choctaw Nation.

Respectfully,

ENCLOSED

Tams Bixby

Chairman.

Registered.

Incl. 7-5196.

Choctaw 5196

COPY.

Muskogee, Indian Territory, November 12, 1904.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission dated November 12, 1904, dismissing the application for the enrollment of Ethel Jackson (Orie Ethel Jackson) as a citizen of the Choctaw Nation.

Respectfully,

(SIGNED)

Tams Bixby

Chairman.

Incl. 7-5196.

THOS. NORMAN,
ATTORNEY AT LAW.
NOTARY PUBLIC OFFICE.

LIBERTY & BLOCKER BUILDING,
MAIN STREET.

Ardmore, I. T., Aug 30/97.

I, Robert E. Lee, a notary Public in and for the southern district of the Indian Territory, do hereby certify under the seal of my office that I have this day inspected all the original Papers in the case of "Orie Ethel Jackson vs Choctaw Nation" consisting of an application, Masters Report in case of "Murrill Washington Jackson et al vs Choctaw Nation" duly certified to by the Clerk of the Court; and a joint affidavit of Tom Jackson and Mary Ellen Jackson;

That I compared a copy of each of these papers with the original, and found them to be true and correct, complete and perfect copies of said originals; that I then took the said copies and registered them to Stuart, Gordon and Haley, Attys for the Choctaw Nation, addressed to them at South McAlester, I. T., and the registry receipt No 192 attached hereto is a receipt from the Post Master here for the same, and I do so certify.

Witness my hand and seal of my office this the 31st day of Aug. 1897.

Robert E. Lee
Notary Public.

No ____

Before the Hon. Commission to the five civilized tribes sitting at Ft. Gibson, I.T., to pass upon application for citizenship in any of said tribes.

Orie Ethel Jackson, by and through his father, Tom Jackson, Chuffy
vs.
The Choctaw Nation, Dft.
} Application.

Now comes your applicant herein, Orie Ethel Jackson, and appears by his father, Tom Jackson, and respectfully states to this honorable Commission that he is a resident of the Indian Territory, Chickasaw Nation, and that his post office address is Powell, I.T.

Your applicant further states that he is a child of Tom Jackson and Mary Ellen Jackson, his wife, who were legally and lawfully married on the 18th day of Dec 1888, and that he is a legitimate child of said parents, and was born on the 5th day Dec. 1896.

Your applicant further states that said Tom Jackson and his wife Mary Ellen Jackson are citizens of the Choctaw Tribe of Indians, said Mary Ellen Jackson being a citizen by blood and said Tom Jackson being one by intermarriage; that they duly applied to this honorable commission for citizenship in said tribe on the 5th day of Sept. 1896 in the application entitled "Maxwell Washington Askew et al vs Choctaw Nation", and that their said application was overruled and their prayer for citizenship denied; that thereupon they duly appealed from this decision to the

to the United States court holden at Ardmore, I.T. when the application has been duly referred to the Master in Chancery, Hon. W.H.L. Campbell, and the said Master has reported that the said applicants including the parents of your petitioner are of Choctaw Indian descent and are entitled to be enrolled, and he therefore recommends that they be admitted accordingly.

Applicant states further that the honorable Judge of this court, C.B. Kilgore, is now and has been for some time too ill to act upon said Masters Report, and that because of the sickness of said judge he has not been able to get the Masters Report confirmed, but he states that as soon as he can he will have it confirmed.

Applicant files herewith a duly certified copy of said Masters Report, and also the affidavits of his father and Mother, and establishes by the same that he is entitled to citizenship as aforesaid, and he therefore asks to be so admitted and to be placed on the roll of citizenship now being prepared by this commission for the Choctaw Nation, and for such other and further relief as is suitable, proper, and right.

Thos. Norman, Ardmore, I.T.
Atty for applicant.

I, Tom Jackson, do solemnly swear that I am the father of the applicant herein and appear for him in this application and that all the facts and statements above are true and correct.

Tom Jackson.

Subscribed and sworn to before me this the 26th day of August 1897

J.F. Reed
Notary Public in & for
Lamar Co. Texas

United States Court Southern District at Ardmore, Indian Territory.

Murrell Washington Askew et al.)
vs. #72.) ss Master's Report.
Choctaw Nation.)

I find from the evidence in this case, that there lived and died in the state of Alabma, a Half blood Choctaw Indian named Aaron Askew; that this Aaron Askew married a white lady, and by her had as an issue of their marriage, seven children; among whom there were three boys, named Tom, Mose and Murrill. Tom Askew the son of Aaron Askew, married a white lady by the name of Betty Blassingame, and by her has as an issue of their marriage four children to-wit; William Quint Askew, Murrill Washington Askew, Newt Askew and Marry Askew. The said Murrill Washington Askew, one of the applicants herein married, in the year , I866, a white woman named Rebecca, and has by her as an issue of their marriage, the following children: Mrs. May Catherine Askew Brewer, (nee Askew) Mrs. Martha Etta Turner, (nee Askew) and Johny Askew; Mrs. Mary Catherine Brewer, married George Brewer, a white man, since I876. and by him had the following named children; Emma Brewer, and Elmer Brewer; Mrs. Etta Turner, married a white man by the name of Marshal Tuner, since I876. That said Newt Askew married a white woman, in I866, named Nancy Melinda Bossham, and by her had the following children to-wit: William Howard Askew, Mrs. Marry Ellen Jackson, (nee Askew) Henry Edward Askew, Elizebeth Viola Askew, Dallas Alexander Askew, and Roxy Cordelia Askew. The said Mary Ellen Jackson, married a white man, named Tom Jackson, since I876, and by him had the following issue of said marriage, to-wit: Taylor Franklin, Alma, Charlie, and Roscoe.

I find further that said Murrill Washington Askew, and Newt Askew, are one-eight Choctaw Indians by blood. and seven-eights white; that their children areone-sixteenth Choctaw Indian s by blood. and that their grand children are one-thirty-second Choctaw Indian by blood. and that all of them are residents of the Indian Territory. and I therefore recommend that the following named parties be admitted to enrollment and to citizenship in the Choctaw Nation, to-wit: Murrill Washington Askew. Mrs. May Catherine Brewer. Mrs. Martha Etta Turner. John Askew. Newt Askew. William Howard Askew. Mary Ellen Jackson. Taylor Franklin Jackson. Alma Jackson. Charlie Jackson. Roscoe Jackson. Henry Edward Askew. Elizebeth Viola Askew. Dallas Alexander Askew. Roxy Cordelian Askew. Emma Brewer. Elmer Brewer. I also recommend that Mrs. Rebecca Askew. and Mrs. Nancy Meldia Askew. be admitted to enrollment as intermarried citizens.

I find further that all the other marriages, herein was contracted in the states and consumtaed under and by virtue of license issued them by the several states and not by an Indian Nation, and that all parties so inter-married are not entitled to citizenship, and I therefore recommend that the following persons be de nied enrollment to-wit, George Brewer, Marshal Turner, and Tom Jackson.

Endorsed as follows
Filed July 1st 1897
Jos. W. Phillips
Clerk

W. H. L. Campbell
Master in Chancery.

This transcript is a true and perfect copy of the original Masters Report filed by me in this cause, this 3 day of Aug. 1897
Jos. W. Phillips
Jos. W. Phillips Clerk

D 6

Affidavit

We, Tom Jackson and Mary Ellen Jackson do solemnly swear that we were duely, legally, and lawfully married on the 18th day of Dec 1888 and that the applicant in this application named Cris Ethel Jackson is a legitimate child of ours and was born on the 5th day of Dec. 1896.

We further state that we are citizens of the Choctaw Nation; that our application is now pending in the United States Court at Ardmore I. T., and that the Master in Chancery of said court to whom this application was referred has duely reported on the same, and finds that we are Choctaw Indians and entitled to citizenship and enrollment in the Choctaw Nation. On account of the sickness of his honor Judge C. B. Kilgore we have not been able to get the Masters report before the Court and have the same confirmed, but they respectfully state that as soon as they can they will do so and have the same duely confirmed.

Our child above was born after we applied for citizenship to this honorable commission, and its name does not therefore appear in said application, and we suggest that unless this commission allows it to be enrolled, it will forever be debarred and deprived of its inheritance

Tom Jackson.
Mary Ellen Jackson

Subscribed and sworn to before me this 21st Day of Aug. 1897

J. P. Creed
Notary Public in the
Indian Territory

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DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Newt Askew, et al., as citizens of the Choctaw Nation.

D E C I S I O N.

It appears from the record herein and from the records in the possession of the Commissioner to the Five Civilized Tribes that application was made to the Commission to the Five Civilized Tribes at Ardmore, Indian Territory, Septe ber 23, 1896, by Newt Askew, for the enrollment of himself, his wife, Nancy A. Askew, William F. Askew, Henry E. Askew, Elizabeth V. Askew, Dallas A. Askew and Roxy C. Askew, children of said Newt Askew and Nancy A. Askew, as citizens by blood of the Choctaw Nation; that on April 10, 1900, written application was made for the enrollment of Alpha Marie Hefner as a citizen by blood of the Choctaw Nation; that on April 11, 1902, written application was made for the enrollment of Julius Edward Askew as a citizen by blood of the Choctaw Nation; that on April 25, 1902, written application was made for the enrollment of Nancy Ann Hefner as a citizen by blood of the Choctaw Nation; that application was made by William Q. Askew at Ardmore, Indian Territory, September 22, 1898, for the enrollment of himself and minor children, Mattie Askew, Ellen Askew, and Tom Askew as citizens by blood of the Choctaw Nation, and for the enrollment of his wife, Martha Askew, as a citizen by intermarriage of said nation; that application was made by Rebecca Askew, at Ardmore, Indian Territory, Sept mber 23, 1898, for the enrollment of herself as a citizen by blood of the Choctaw Nation; that application was made by William T. Askew at Ardmore, Indian Territory, September 22, 1898, for the enrollment of himself and minor children, Thane Askew, Perry Askew, Tommy Askew, Lillie Askew, Gilbert Askew and Lizzie Askew as citizens by blood of the Choctaw Nation, and for the enrollment of his wife, Bettie Askew, as a citizen by intermarriage of said nation; that on October 13, 1900, written application was made for the enrollment of Ethel Askew, minor daughter of said William T. Askew and Bettie Askew, as a citizen by blood of the Choctaw Nation; that on August 15, 1902, written application was made for the enrollment of Robert Askew, minor son of the said William T. Askew and Bettie Askew, as a citizen by blood of the Choctaw Nation; that on November 30, 1901, written application was made for the enrollment as a citizen by blood of the Choctaw Nation of Robert Floy Shipman, minor child of Thane Shipman (nee Askew), by her husband, T. . Shipman; that application was made by Mary A. Jackson at Ardmore, Indian Territory, September 28, 1898, for the enrollment of herself and her minor children, Tayler F. Jackson, Alma Jackson, Charley Jackson, Rosco

Jackson and Ethel Jackson, as citizens by blood of the Choctaw Nation; that application was made by Mary C. Brewer at Ardmore, Indian Territory, September 22, 1898, for the enrollment of herself and minor children, Emma Brewer and Elmer Brewer, as citizens by blood of the Choctaw Nation; that on December 15, 1898, written application was made for the enrollment of the applicant, Mary E. Brewer, minor daughter of said Mary C. Brewer and G. P. Brewer, as a citizen by blood of the Choctaw Nation; that application was made by George W. Askew at Ardmore, Indian Territory, September 22, 1898, for the enrollment of himself and minor children, Sophia Askew and Alice Askew, as citizens by blood of the Choctaw Nation, and for the enrollment of his wife, Dora Askew, as a citizen by intermarriage of said nation; that application was made by Martha E. Turner at Ardmore, Indian Territory, September 23, 1898, for the enrollment of herself as a citizen by blood of the Choctaw Nation; that application was made by Sam Askew at Ardmore, Indian Indian Territory, September 23, 1898, for the enrollment of himself as a citizen by blood of the Choctaw Nation, and for the enrollment of his wife, Lena Askew, as a citizen by intermarriage of said nation; that on March 20, 1900, written application was made for the enrollment of Frankie Beatrice Askew, minor daughter of Sam Askew and Lena Askew, as a citizen by blood of the Choctaw Nation; that on April 7, 1901, written application was made for the enrollment of Lee Askew, minor son of Sam Askew and Lena Askew, as a citizen by blood of the Choctaw Nation; that application was made by John Askew at Ardmore, Indian Territory, September 23, 1898, for the enrollment of himself as a citizen by blood of the Choctaw Nation.

It further appears from the records in the possession of the Commissioner to the Five Civilized Tribes that the applicants, William G. Askew, William T. Askew, George W. Askew, Sam Askew, Martha Askew, Mattie Askew, Milton Askew, Tom Askew, Bettie Askew, Thane Askew, Perry Askew, Tommy Askew, Lillie Askew, Gilbert Askew, Lizzie Askew, Dora Askew and Sophia Askew were applicants to the Commission to the Five Civilized Tribes for admission to citizenship in the Choctaw Nation under the provisions of the Act of Congress approved June 10, 1896, (29 Stats., 321); that they were denied such admission by a decision of the Commission of December 1, 1896 (1896 Choctaw Citizenship Case No. 1); that from this decision an appeal was taken to the United States Court for the Southern District of Indian Territory, which Court on December 21, 1897,) in the case entitled "William G. Askew, et al., vs. Choctaw Nation", rendered a judgment reversing the decision of the Commission to the Five Civilized Tribes as to the applicants, and admitted all of said applicants to citizenship in the Choctaw Nation, except Martha Askew, Bettie Askew and Dora Askew. On March 12, 1898, said Court rendered a supplemental decision in said case, admitting said Martha Askew, Bettie Askew and Dora Askew to citizenship in the Choctaw Nation.

These judgments were subsequently vacated, set aside, and held for naught by a decree of the Choctaw and Chickasaw Citizenship Court on December 17, 1902, in the test case of "Choctaw and Chickasaw Nations, or Tribes, vs. J. I. Riddle, et al."

Said cause was subsequently certified to the Choctaw and Chickasaw Citizenship Court, created by the Act of Congress approved July 1, 1902 (32 Stats., 641), for a trial de novo, and on September 19, 1904, said Citizenship Court in the case entitled "William Quint Askew, et al., vs. Choctaw and Chickasaw Nations" (Choctaw-Chickasaw Citizenship Court Case No. 8, Tishomingo Docket), rendered a judgment therein, wherein it was "ordered, adjudged and decreed that the petition of the plaintiffs, William Quint Askew, Martha Askew, Hattie Askew, Ellen Askew, Tom Askew, William Thomas Askew, Bettie Askew, Perry Askew, Jennie Askew or Jenny Askew, Lily Askew or Lillie Askew, Gilbert Askew, Lizzie Askew, Thane Shipman, or Thane Askew, George Washington Askew, Dora Askew, Sophia Askew and Sam Askew be denied, and that they be declared not citizens of the Choctaw Nation and not entitled to enrollment as such citizens and not entitled to any rights whatever flowing therefrom."

It further appears from the records in the possession of the Commissioner to the Five Civilized Tribes that under the provisions of the Act of Congress approved June 10, 1896 (29 Stats., 321), application was made to the Commission to the Five Civilized Tribes for admission to citizenship in the Choctaw Nation of the following named persons: Rebecca Askew, Johnnie Askew, Newton Askew, Nancy Malinda Askew, William Howard Askew, Henry Edward Askew, Elizabeth Viola Askew, Dallas Alexander Askew, Roxie Cordelia Askew, Mrs. May Catherine Brewer, George Brewer, Elmer Brewer, Emma Brewer, Mrs. Mary Ellen Jackson, Tom Jackson, Taylor Franklin Jackson, Alma Jackson, Charlie Jackson, Roscoe Jackson, Mrs. Martha Etta Turner and Marshall A. Turner. All of said applicants were denied admission to citizenship in the Choctaw Nation by a judgment of the Commission on December 1, 1896 (1896 Choctaw Citizenship Case No. 7).

Said cause was subsequently appealed to the United States Court for the Southern District of Indian Territory, which Court on December 21, 1897, reversed the decision of the Commission to the Five Civilized Tribes as to certain of the applicants, and admitted the following as citizens of the Choctaw Nation: John Askew, Newt Askew, William Howard Askew, Henry Edward Askew, Elizabeth Viola Askew, Dallas Alexander Askew, Roxie Cordelia Askew, Mrs. Rebecca Askew, Mrs. Nancy Melinda Askew, Mrs. May Catherine Brewer, Emma Brewer, Elmer Brewer, Mary Ellen Jackson, Taylor Franklin Jackson, Alma Jackson, Charlie Jackson, Roscoe Jackson and Mrs. Martha Etta Turner. In addition thereto, the judgment of the Court recited "It further appears that exceptions have been filed to that part of the Master's Report relating to George Brewer, Marshall Turner and Tom Jackson, and it is hereby ordered that this cause stand open as to these three parties, so that said exceptions may be considered hereafter".

Said judgment was subsequently vacated, set aside, and held for naught by a decree of the Choctaw and Chickasaw Citizenship Court of December 17, 1902, in the test case of "Choctaw and Chickasaw Nations, or Tribes, vs. J. T. Riddle et al."

Said cause as to certain of the applicants was subsequently certified to the Choctaw and Chickasaw Citizenship Court, created under the act of Congress approved July 1, 1902 (32 Stats., 641), for a trial de novo, and on September 19, 1904, in the case entitled "Newt Askew, et al., vs. Choctaw and Chickasaw Nations" (Choctaw-Chickasaw Citizenship Court Case No. 9, Tishomingo Docket),

rendered a judgment therein, wherein it was "ordered, adjudged and decreed that the petition of the plaintiffs, Newt Askew, Nancy Malinda Askew, William Howard Askew, Dallas Alexander Askew, Henry Edward Askew, Rexie Cordelia Carter (nee Askew), or Rexie Cordelia Askew, Jennie Askew, or John Askew, Mary Catherine Brewer, or May Catherine Brewer, Emma Brewer, Elmer Brewer, Mary Ellen Jackson, Taylor Franklin Jackson, Alma Jackson, Charlie Jackson, Rosecs Jackson, Elizabeth Viola Hefner (nee Askew), or Elizabeth Viola Askew, and Rebecca Askew be denied, and that they be declared not citizens of the Choctaw Nation, and not entitled to enrollment as such citizens and not entitled to any rights whatever flowing therefrom."

On November 12, 1904, the Commission to the Five Civilized Tribes issued orders dismissing the applications for the enrollment of Alpha Marie Hefner, Nancy Ann Hefner, Julius Edward Askew, Mary B. Brewer, Lena Askew, Frankie Beatrice Askew, Lee Askew, Alice Askew, Ethel Askew, Robert Askew, Robert Fley Shipman, and Ethel Jackson, for the reason that the persons through whom they claimed the right to enrollment had been denied citizenship by the Choctaw and Chickasaw Citizenship Court.

On December 3, 1904, the Commission to the Five Civilized Tribes issued an order dismissing the application for the enrollment of Martha E. Turner as a citizen by blood of the Choctaw Nation in accordance with the opinion of the Acting Attorney General dated May 9, 1904 (I.T.D. 3824-1904), and the opinion of the Assistant Attorney General for the Department of the Interior dated July 30, 1904 (I.T.D. 3824-1904).

Under the regulations adopted by the Commissioner to the Five Civilized Tribes January 2, 1906, there was filed on March 14, 1906, by Thomas Norman, attorney for the petitioners, a petition praying for the enrollment of the following persons as citizens of the Choctaw Nation: Newt Askew, Nancy Malinda Askew, John Askew, Dallas Alexander Askew, Carrie Margarette Askew, Rexie Cordelia Carter (nee Askew), Marshall Turner, Mary Ellen Jackson, Tom Jackson Taylor Jackson, Alma Jackson, Charley Jackson, Rosecs Jackson, Ethel Jackson, Viola Elizabeth Hefner, Joe Hefner, Alpha Marie Hefner, Nancy Ann Hefner, Mary Catherine Brewer, George Brewer, Emma Narcissus Brewer, Elmer Washington Brewer, Mary Belle Brewer, William Howard Askew, Tavia Askew, Julius Edward Askew, Henry Edward Askew, Rebecca Askew, William Quint Askew, Martha Askew, Mattie Askew, Ellen Askew, Tom Askew, William Thomas Askew, Bettie Askew, Perry Askew, Tom Askew, Lillie Askew, Gilbert Askew, Lizzie Askew, Ethel Askew, Robert Askew, Thaney Shipman, Fley Shipman, George Washington Askew, Dora Anderson Askew, Sophia Askew, Alice Askew, Sam Askew, Lena Askew and Lee Askew.

It is alleged in the petition that the petitioners are Choctaw descendants of Choctaw ancestry; that they took up a residence in the Indian Territory between the years 1880 and 1890, and have continued to reside in either the Choctaw or Chickasaw Nation since that time; that they claimed before and after their removal to said nations to be citizens of the Choctaw Nation by virtue of their Choctaw blood and Choctaw descent; that all their

kinsfolk on Choctaw Indian side of the family, or a great many of them, are on the roll as citizens of the Choctaw Nation, that they have taken their allotment of lands and drawn their share of moneys thereof, and that their enrollment has long since been approved by the Secretary of the Interior.

The petitioners further state that among other children, an old half-blood Choctaw Indian, named Aaron Askew, had three children, two boys named Murrill and Tom, and one girl named Elizabeth, or Betty, who married a man named Douglas; that the United States Indian Agent rendered a decision about 1890, which was approved by the Choctaw Council, in which he adjudged the children of Murrill Askew to be citizens of the Choctaw Nation, all of whom are now on the approved roll of Choctaws; that in 1896 the Commission to the Five Civilized Tribes rendered a decision that the children of Elizabeth Douglas were citizens of the Choctaw Nation, and from this decision no appeal was taken; that all of said children are on the approved Choctaw rolls; that the petitioners herein are the legitimate descendants of the other brother named Tom Askew, and that they as well as the descendants of the said Murrill Askew and Elizabeth Douglas (nee Askew) are citizens of said nation.

On July 19, 1906, written applications were made to the Commissioner to the Five Civilized Tribes for the enrollment of the following persons as citizens by blood of the Choctaw Nation, under the provisions of the Act of Congress approved April 26, 1906 (34 Stats., 137): Carl Hefner, born February 23, 1906, minor child of Joe H. Hefner and Viola Hefner; Perry Q. Askew, born June 4, 1903, minor child of George W. Askew and Dora A. Askew; Omar G. Askew, born December 22, 1902, and Vernis Askew, born July 11, 1905, minor children of Dallas A. Askew and Carrie M. Askew; Violet Askew, born September 25, 1904, minor child of William H. Askew and Octavia W. Askew; Arthur W. Carter, born January 16, 1904, minor son of Charles Carter and Roxy C. Carter; and Roy Shipman, born August 12, 1905, minor child of Tom Shipman and Thanie Shipman. April 26, 1906, written application was made for the enrollment of Vera Shipman, born September 29, 1903, minor child of Thanie Shipman and T. B. Shipman, as a citizen by blood of the Choctaw Nation.

It does not appear from the records in the possession of the Commissioner to the Five Civilized Tribes that any of the applicants has ever been recognized or enrolled as a citizen of the Choctaw Nation by any duly constituted authority.

The names of none of said applicants appear upon any of the tribal rolls of the Choctaw Nation in the possession of the Commissioner to the Five Civilized Tribes.

I am of the opinion that inasmuch as it does not appear from the record herein or from the records in the possession of this office that any of the applicants who applied to the Commission to the Five Civilized Tribes in 1896 possessed any tribal status as citizens of the Choctaw Nation, said Commission had jurisdiction to pass upon their rights as citizens of said nation, and I am without authority to take any action looking to their enrollment as citizens of said nation, and that the petition in so far as it relates to said applicants should be dismissed, and it is so ordered.

I am further of the opinion that as to those persons whose applications were dismissed for the reason that they failed to appeal to the Choctaw and Chickasaw Citizenship Court, or for the reason that their parents had been denied by a decree of said court, said dismissals should be affirmed, and the petition in so far as it relates to said applicants should be dismissed, and it is so ordered.

I am directed by the Commissioner to inform you that the application for the [illegible] Creek, Indian, [illegible] Creek, Indian, [illegible] Creek, Indian,

W-1298

Muskogee, Indian Territory, October 23, 1906.

Mary F. Jackson,

Willis, Indian Territory.

Dear Madam:

You are hereby notified that the Commissioner to the Five Civilized Tribes, on October 23, 1906, rendered his decision, dismissing the applications and petition for the enrollment of yourself, Taylor F. Jackson, Alma Jackson, Charley Jackson, Roscoe Jackson, and Ethel Jackson, as citizens by blood of the Choctaw Nation.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED Tams Bixby
Commissioner.

Registered.

S-104
T-6200 et al.

COPY.

Muskogee, Indian Territory, October 23, 1906

Thomas Norman,

Attorney at Law,

Ardmore, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered October 23, 1906, dismissing the application and petition for the enrollment of Newt Askew, Nancy M. Askew, Henry E. Askew, William H. Askew, Elizabeth V. Askew, Dallas A. Askew, Roxy C. Askew, Alpha Marie Hefner, Julius Edward Askew, Nancy Ann Hefner, William Q. Askew, Nattie Askew, Ellen Askew, Tom Askew, Rebecca Askew, William T. Askew, Thane Askew, Perry Askew, Tommy Askew, Lillie Askew, Wilbert Askew, Lizzie Askew, Ethel Askew, Robert Wiley Shipman, Robert Askew, Mary E. Jackson, Taylor P. Jackson, Alma Jackson, Charley Jackson, Reecee Jackson, Ethel Jackson, Mary G. Brewer, Roma Brewer, Elmer Brewer, Mary E. Brewer, George W. Askew, Sophia Askew, Alice Askew, Martha E. Turner, Sam Askew, Frankie Beatrice Askew, Lee Askew, and John Askew, as citizens by blood of the Choctaw Nation, and the applications and petition for the enrollment of Martha Askew, Nattie Askew, Lena Askew, and Dora Askew as citizens by intermarriage of said nation, and denying the application for the enrollment of Carl Hefner, Perry

T. M. - -, #2.

Q. Askew, Oscar C. Askew, Vernie Askew, Violet Askew, Arthur W. Carter, Roy Shipman, and Vera Shipman as citizens by blood of the Choctaw Nation, under the provisions of the Act of Congress approved April 26, 1906.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Signed. Tams Bixby

Commissioner.

Registered.

Encl. C-1000--3-6200 et al.

C-108
7-[illegible] et al.

COPY.

Muskogee, Indian Territory, October 23, 1906

Cruce, Cruce and Bleakmore,

Attorneys at Law,

Ardmore, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered October 23, 1906, dismissing the applications and petition for the enrollment of Newt Askew, Nancy M. Askew, Henry H. Askew, William H. Askew, Elizabeth V. Askew, Dallas A. Askew, Roxy C. Askew, Alpha Marie Hefner, Julius Edward Askew, Nancy Ann Hefner, William Q. Askew, Mattie Askew, Ellen Askew, Tom Askew, Rebecca Askew, William T. Askew, Thane Askew, Perry Askew, Tommy Askew, Lillie Askew, Gilbert Askew, Lizzie Askew, Ethel Askew, Robert Floy Shipman, Robert Askew, Mary E. Jackson, Taylor P. Jackson, Alma Jackson, Charley Jackson, Roscoe Jackson, Ethel Jackson, Mary C. Brewer, Emma Brewer, Elmer Brewer, Mary B. Brewer, George W. Askew, Sophia Askew, Alice Askew, Martha E. Turner, Sam Askew, Frankie Beatrice Askew, Leo Askew, and John Askew, as citizens by blood of the Choctaw Nation, and the applications and petition for the enrollment of Martha Askew, Nettie Askew, Lena Askew, and Dora Askew, as citizens by intermarriage of said nation, and denying the application for the enrollment of Carl

C. C. & B. - - #2.

Hefner, Perry Q. Askew, Oscar G. Askew, Vernie Askew, Violet Askew, Arthur W. Carter, Roy Shipman and Vera Shipman as citizens by blood of the Choctaw Nation, under the provisions of the Act of Congress approved April 26, 1906 .

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Commissioner.

Registered.

Incl. C-105-- 7-5200 et al.

C-106
7-8200 et al

Muskogee, Indian Territory, October 23, 1906.

COPY

Chester Howe,

Washington Loan and Trust Building,

Washington, D. C.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered October 23, 1906, dismissing the applications and petition for the enrollment of Newt Askew, Nancy M. Askew, Henry E. Askew, William H. Askew, Elizabeth V. Askew, Dallas A. Askew, Roxy C. Askew, Alpha Varie Hefner, Julius Edward Askew, Nancy Ann Hefner, William C. Askew, Mattie Askew, Ellen Askew, Tom Askew, Rebecca Askew, William T. Askew, Thane Askew, Perry Askew, Tommy Askew, Lillie Askew, Gilbert Askew, Lizzie Askew, Ethel Askew, Robert Floy Shipman, Robert Askew, Mary E. Jackson, Tayler F. Jackson, Alma Jackson, Charley Jackson, Reese Jackson, Ethel Jackson, Mary C. Brewer, Emma Brewer, Elmer Brewer, Mary E. Brewer, George W. Askew, Sophia Askew, Alice Askew, Martha E. Turner, Sam Askew, Frankie Beatrice Askew, Leo Askew and John Askew, as citizens by blood of the Choctaw Nation, and the applications and petition for the enrollment of Martha Askew, Bettie Askew, Lena Askew and Dora Askew as citizens by intermarriage of said nation, and denying the application for the enrollment of Carl Hefner, Perry

C. M. --42.

Q. Askew, Oscar G. Askew, Vernie Askew, Violet Askew, Arthur W. Carter, Roy Shipman and Vera Shipman, as citizens by blood of the Choctaw Nation, under the provisions of the Act of Congress approved April 26, 1906.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED Tams [illegible]
Commissioner.

Registered.

Incl. C-105--7-5200 et al.

C-106
9-3200 et al

Muskogee, Indian Territory, October 23, 1906.

Mansfield, McMurray & Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

COPY

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered October 23, 1906, dismissing the applications and petition for the enrollment of Newt Askew, Nancy W. Askew, Henry E. Askew, Willing N. Askew, Elizabeth V. Askew, Dallas A. Askew, Roxy C. Askew, Alpha Marie AHefner, Julius Edward Askew, Nancy Ann YHefner, William Q. Askew, Mattie Askew, Ellen Askew, Tom Askew, Rebecca Askew, William T. Askew, Thane Askew, Perry Askew, Tommy Askew, Lillie Askew, Gilbert Askew, Lizzie Askew, Ethel Askew, Robert Floy Shipman, Robert Askew, Mary E. Jackson, Taylor F. Jackson, Alma Jackson, Charley Jackson, Rosece Jackson, Ethel Jackson, Mary C. Brewer, Emma Brewer, Elmer Brewer, Mary B. Brewer, George W. Askew, Sophia Askew, Alice Askew, Martha E. Turner, Sam Askew, Frankie Beatrice Askew, Lee Askew, and John Askew, as citizens by blood of the Choctaw Nation, and the application and petition for the enrollment of Martha Askew, Bettie Askew, Lena Askew and Dora Askew as citizens by intermarriage of said nation, and denying the application for the enrollment of Carl Hefner, Perry

M. M. & C. - - #2.

Q. Askew, Oscar C. Askew, Vernie Askew, Violet Askew, Arthur W. Carter, Roy Shipman, and Vera Shipman as citizens by blood of the Choctaw Nation, under the provisions of the Act of Congress approved April 26, 1906.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Tams Bixby

Commissioner.

Registered.

Incl. C-105--7-5200 et al.

COPY.

Muskogee, Indian Territory, October 24, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to transmit herewith the record before the Commission to the Five Civilized Tribes and its successor in the matter of the application for the enrollment of Newt Askew, et al., as citizens of the Choctaw Nation, with my decision of October 23, 1906, denying a petition filed with this office by Thomas Norman, attorney at law, Ardmore, Indian Territory, on March 14, 1906, praying for the enrollment of Newt Askew, et al., as citizens of the Choctaw Nation.

This petition was filed under the opinion of the Assistant Attorney General for the Department of the Interior of December 8, 1905, (I.T.D. 3693-1905), in the Loula West case.

The majority of the persons named in the petition submitted by Mr. Norman were denied citizenship in the Choctaw Nation by decrees of the Choctaw and Chickasaw Citizenship Court.

While it is not claimed that the petitioners in question were ever recognized and enrolled by the tribal authorities as citizens of the Choctaw Nation, it is insisted that they are entitled to enrollment by reason of the fact that certain of their co-relatives

have been duly enrolled as citizens of the Choctaw Nation.

I also enclose for the consideration of the Department in connection with the contention of the petitioners, a brief filed with this office on October 1, 1906, Thomas Bryant, Crane, Crane & Blackmore, and Chester Howe, attorneys for the petitioners.

This case was the subject of my report of January 15, 1906, to the Department and of Departmental letter of March 12, 1906 (I.T. D. 4058-1906).

There is also enclosed herewith the original petition directed to the President of the United States and the Secretary of the Interior, which was originally filed with the Department June 20, 1905. The case was also the subject of the Department letter of October 15, 1906, (I.T.D. 12775-1906), enclosing for report a letter of Chester Howe, attorney at law, Washington, D. C., dated October 10, 1906, and addressed to the Department, requesting that the Commissioner to the Five Civilized Tribes be directed to pass upon the case at the earliest practicable date, to the end that a final decision may be secured upon the questions raised.

I have the honor to further report that the principal petitioners have been advised of the action taken by me on October 23, 1906, and that their attorneys and the attorneys for the Choctaw and Chickasaw Nations have been furnished with a copy of my decision of that date.

Respectfully,

Signed Tams Bixby

Commissioner.

Through the Commissioner of Indian Affairs.
OP 24-5

Choc 5197 Rebecca Ashow

Dismissed 10-23-06

Notices and decision in 7-5200

See Pet #C-105

5197

REFER IN REPLY TO THE FOLLOWING:

[redacted]

DEPARTMENT OF THE INTERIOR.
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, April 22, 1907.

Rebecca Askew,

Powell, Indian Territory.

Dear Madam:

You are hereby advised that on March 4, 1907, the Secretary of the Interior affirmed the decision of this office of October 23, 1906, dismissing the application and petition for your enrollment as a citizen by blood of the Choctaw Nation.

Respectfully,

Commissioner.

C- 108
7-5073
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5122
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5214

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Newt Askew, et al., as citizens of the Choctaw Nation.

DECISION.

It appears from the record herein and from the records in the possession of the Commissioner to the Five Civilized Tribes that application was made to the Commission to the Five Civilized Tribes at Ardmore, Indian Territory, September 23, 1898, by Newt Askew, for the enrollment of himself, his wife, Nancy . Askew, William H. Askew, Henry E. Askew, Elizabeth V. Askew, Dallas A. Askew and Roxy C. Askew, children of said Newt Askew and Nancy . Askew, as citizens by blood of the Choctaw Nation; that on April 10, 1900, written application was made for the enrollment of Alpha Marie Hefner as a citizen by blood of the Choctaw Nation; that on April 11, 1902, written application was made for the enrollment of Julius Edward Askew as a citizen by blood of the Choctaw Nation; that on April 25, 1902, written application was made for the enrollment of Nancy Ann Hefner as a citizen by blood of the Choctaw Nation; that application was made by William Q. Askew at Ardmore, Indian Territory, September 22, 1898, for the enrollment of himself and minor children, Mattie Askew, Ellen Askew, and Tom Askew as citizens by blood of the Choctaw Nation, and for the enrollment of his wife, Martha Askew, as a citizen by intermarriage of said nation; that application was made by Rebecca Askew, at Ardmore, Indian Territory, September 23, 1898, for the enrollment of herself as a citizen by blood of the Choctaw Nation; that application was made by William T. Askew at Ardmore, Indian Territory, September 22, 1898, for the enrollment of himself and minor children, Thane Askew, Perry Askew, Tommy Askew, Willie Askew, Gilbert Askew and Lizzie Askew as citizens by blood of the Choctaw Nation, and for the enrollment of his wife, Bettie Askew, as a citizen by intermarriage of said nation; that on October 13, 1900, written application was made for the enrollment of Ethel Askew, minor daughter of said William T. Askew and Bettie Askew, as a citizen by blood of the Choctaw Nation; that on August 16, 1902, written application was made for the enrollment of Robert Askew, minor son of the said William T. Askew and Bettie Askew, as a citizen by blood of the Choctaw Nation; that on November 30, 1901, written application was made for the enrollment as a citizen by blood of the Choctaw Nation of Robert Floy Shipman, minor child of Thane Shipman (nee Askew), by her husband, T. . Shipman; that application was made by Mary E. Jackson at Ardmore, Indian Territory, September 13, 1898, for the enrollment of herself and her minor children, Taylor F. Jackson, Alma Jackson, Charley Jackson, Roscoe

Jackson and Ethel Jackson, as citizens by blood of the Choctaw Nation; that application was made by Mary C. Brewer at Ardmore, Indian Territory, September 23, 1898, for the enrollment of herself and minor children, Emma Brewer and Elmer Brewer, as citizens by blood of the Choctaw Nation; that on December 13, 1898, written application was made for the enrollment of the applicant, Mary P. Brewer, minor daughter of said Mary C. Brewer and G. P. Brewer, as a citizen by blood of the Choctaw Nation; that application was made by George W. Askew at Ardmore, Indian Territory, September 23, 1898, for the enrollment of himself and minor children, Sophia Askew and Alice Askew, as citizens by blood of the Choctaw Nation, and for the enrollment of his wife, Dora Askew, as a citizen by intermarriage of said nation; that application was made by Martha E. Turner at Ardmore, Indian Territory, September 23, 1898, for the enrollment of herself as a citizen by blood of the Choctaw Nation; that application was made by Sam Askew at Ardmore, Indian Indian Territory, September 23, 1898, for the enrollment of himself as a citizen by blood of the Choctaw Nation, and for the enrollment of his wife, Lena Askew, as a citizen by intermarriage of said nation; that on March 20, 1900, written application was made for the enrollment of Frankie Beatrice Askew, minor daughter of Sam Askew and Lena Askew, as a citizen by blood of the Choctaw Nation; that on April 2, 1901, written application was made for the enrollment of Leo Askew, minor son of Sam Askew and Lena Askew, as a citizen by blood of the Choctaw Nation; that application was made by John Askew at Ardmore, Indian Territory, September 23, 1898, for the enrollment of himself as a citizen by blood of the Choctaw Nation.

It further appears from the records in the possession of the Commissioner to the Five Civilized Tribes that the applicants, William G. Askew, William T. Askew, George W. Askew, Sam Askew, Martha Askew, Mattie Askew, Ellen Askew, Tom Askew, Bettie Askew, Thane Askew, Perry Askew, Tommy Askew, Lillie Askew, Gilbert Askew, Lizzie Askew, Dora Askew and Sophia Askew were applicants to the Commission to the Five Civilized Tribes for admission to citizenship in the Choctaw Nation under the provisions of the Act of Congress approved June 10, 1896, (29 Stats., 321); that they were denied such admission by a decision of the Commission of December 1, 1897 (1896 Choctaw Citizenship Case No. 1); that from this decision an appeal was taken to the United States Court for the Southern District of Indian Territory, which Court on December 21, 1897,) in the case entitled "William G. Askew, et al., vs. Choctaw Nation", rendered a judgment reversing the decision of the Commission to the Five Civilized Tribes as to the applicants, and admitted all of said applicants to citizenship in the Choctaw Nation, except Martha Askew, Bettie Askew and Dora Askew. On March 12, 1898, said Court rendered a supplemental decision in said case, admitting said Martha Askew, Bettie Askew and Dora Askew to citizenship in the Choctaw Nation.

These judgments were subsequently vacated, set aside, and held for naught by a decree of the Choctaw and Chickasaw Citizenship Court on December 17, 1902, in the test case of "Choctaw and Chickasaw Nations, or Tribes, vs. J. F. Riddle, et al."

Said cause was subsequently certified to the Choctaw and Chickasaw Citizenship Court, created by the Act of Congress approved July 1, 1902 (32 Stats., 641), for a trial de novo, and on September 19, 1904, said Citizenship Court in the case entitled "William Quint Askew, et al., vs. Choctaw and Chickasaw Nations" (Choctaw-Chickasaw Citizenship Court Case No. 1, Fishominga Docket), rendered a judgment therein, wherein it was "ordered, adjudged and decreed that the petition of the plaintiffs, William Quint Askew, Martha Askew, Mattie Askew, Ellen Askew, Tom Askew, William Thomas Askew, Nettie Askew, Perry Askew, Tommie Askew or Tommy Askew, Lily Askew or Lillie Askew, Gilbert Askew, Lizzie Askew, Thano Shipman, or Thane Askew, George Washington Askew, Dora Askew, Sophia Askew and William Askew be denied, and that they be declared not citizens of the Choctaw Nation and not entitled to enrollment as such citizens or not entitled to any rights whatever flowing therefrom."

It further appears from the records in the possession of the Commissioner to the Five Civilized Tribes that under the provisions of the Act of Congress approved June 10, 1896 (29 Stats., 321), application was made to the Commission to the Five Civilized Tribes for admission to citizenship in the Choctaw Nation of the following named persons: Rebecca Askew, Johnnie Askew, Betton Askew, Nancy Caroline Askew, William Quint Askew, Henry Howard Askew, Elizabeth Viola Askew, Dallas Alexander Askew, Roxie Cordelia Askew, Mrs. Mary Catherine Brewer, George Brewer, Alma Brewer, Emma Brewer, Mrs. Mary Ellen Jackson, Tom Jackson, Taylor Franklin Jackson, Alma Jackson, Charlie Jackson, Roscoe Jackson, Mrs. Martha Attie Turner and Marshall A. Turner. All of said applicants were denied admission to citizenship in the Choctaw Nation by a judgment of the Commission on December 1, 1898 (1896 Choctaw Citizenship Case No. 1).

Said cause was subsequently appealed to the United States Court for the Southern District of Indian Territory, which Court on December 21, 1897, reversed the decision of the Commission to the Five Civilized Tribes as to certain of the applicants, and admitted the following as citizens of the Choctaw Nation: John Askew, Newt Askew, William Howard Askew, Henry Edward Askew, Elizabeth Viola Askew, Dallas Alexander Askew, Roxie Cordelia Askew, Mrs. Rebecca Askew, Mrs. Nancy Melinda Askew, Mrs. Mary Catherine Brewer, Emma Brewer, Elmer Brewer, Mary Ellen Jackson, Taylor Franklin Jackson, Alma Jackson, Charlie Jackson, Roscoe Jackson and Mrs. Martha Attie Turner. In addition thereto the judgment of the Court recited "It further appears that exceptions have been filed to that part of the Master's Report relating to George Brewer, Marshall Turner and Tom Jackson, and it is hereby ordered that this cause stand open as to these three parties, so that said exceptions may be considered hereafter".

Said judgment was subsequently vacated, set aside, and held for naught by a decree of the Choctaw and Chickasaw Citizenship Court of December 17, 1902, in the test case of "Choctaw and Chickasaw Nations, or Tribes, vs. J. F. Riddle et al."

Said cause as to certain of the applicatns was subsequently certified to the Choctaw and Chickasaw Citizenship Court, created under the act of Congress approved July 1, 1902 (32 Stats., 641), for a trial de novo, and on September 19, 1904, in the case entitled "Newt Askew, et al., vs. Choctaw and Chickasaw Nations" (Choctaw-Chickasaw Citizenship Court Case No. 1, Fishominga Docket),

rendered a judgment therein, wherein it was "ordered, adjudged and decreed that the petition of the plaintiffs, Newt Askew, Nancy Malinda Askew, William Howard Askew, Dallas Alexander Askew, Henry Edward Askew, Roxie Cordelia Carter (nee Askew), or Roxie Cordelia Askew, Jennie Askew, or John Askew, Mary Catherine Brewer, or May Catherine Brewer, Emma Brewer, Elmer Brewer, Mary Ellen Jackson, Taylor Franklin Jackson, Alma Jackson, Charlie Jackson, Rosece Jackson, Elizabeth Viola Hefner (nee Askew), or Elizabeth Viola Askew, and Rebecca Askew be denied, and that they be declared not citizens of the Choctaw Nation, and not entitled to enrollment as such citizens and not entitled to any rights whatever flowing therefrom."

On November 12, 1904, the Commission to the Five Civilized Tribes issued orders dismissing the applications for the enrollment of Alpha Marie Hefner, Nancy Ann Hefner, Julius Edward Askew, Mary B. Brewer, Lena Askew, Frankie Beatrice Askew, Lee Askew, Alice Askew, Ethel Askew, Robert Askew, Robert Floy Shipman, and Ethel Jackson, for the reason that the persons through whom they claimed the right to enrollment had been denied citizenship by the Choctaw and Chickasaw Citizenship Court.

On December 3, 1904, the Commission to the Five Civilized Tribes issued an order dismissing the application for the enrollment of Martha E. Turner as a citizen by blood of the Choctaw Nation in accordance with the opinion of the Acting Attorney General dated May 9, 1904 (I.T.D. 3824-1904), and the opinion of the Assistant Attorney General for the Department of the Interior dated July 30, 1904 (I.T.D. 5246-1904).

Under the regulations adopted by the Commissioner to the Five Civilized Tribes January 2, 1906, there was filed on March 14, 1906, by Thomas Norman, attorney for the petitioners, a petition praying for the enrollment of the following persons as citizens of the Choctaw Nation: Newt Askew, Nancy Malinda Askew, John Askew, Dallas Alexander Askew, Carrie Margarette Askew, Roxie Cordelia Carter (nee Askew), Marshall Turner, Mary Ellen Jackson, Tom Jackson Taylor Jackson, Alma Jackson, Charley Jackson, Rosece Jackson, Ethel Jackson, Viola Elizabeth Hefner, Joe Hefner, Alpha Marie Hefner, Nancy Ann Hefner, Mary Catherine Brewer, George Brewer, Emma Narcissus Brewer, Elmer Washington Brewer, Mary Belle Brewer, William Howard Askew, Tavia Askew, Julius Edward Askew, Henry Edward Askew, Rebecca Askew, William Quint Askew, Martha Askew, Mattie Askew, Ellen Askew, Tom Askew, William Thomas Askew, Bettie Askew, Perry Askew, Tom Askew, Lillie Askew, Gilbert Askew, Lizzie Askew, Ethel Askew, Robert Askew, Thaney Shipman, Floy Shipman, George Washington Askew, Dora Andersen Askew, Sophia Askew, Alice Askew, Sam Askew, Lena Askew and Lee Askew.

It is alleged in the petition that the petitioners are Choctaw descendants of Choctaw ancestry; that they took up a residence in the Indian Territory between the years 1880 and 1890, and have continued to reside in either the Choctaw or Chickasaw Nation since that time; that they claimed before and after their removal to said nations to be citizens of the Choctaw Nation by virtue of their Choctaw blood and Choctaw descent; that all their

kinsfolk on Choctaw Indian side of the family, or a great many of them, are on the roll as citizens of the Choctaw Nation, that they have taken their allotment of lands and drawn their share of moneys thereof, and that their enrollment has long since been approved by the Secretary of the Interior.

The petitioners further state that among other children, an old half-blood Choctaw Indian, named Aaron Askew, had three children, two boys named Murrill and Tom, and one girl named Elizabeth, or Betty, who married a man named Douglas; that the United States Indian Agent rendered a decision about 1890, which was approved by the Choctaw Council, in which he adjudged the children of Murrill Askew to be citizens of the Choctaw Nation, all of whom are now on the approved roll of Choctaws; that in 1896 the Commission to the Five Civilized Tribes rendered a decision that the children of Elizabeth Douglas were citizens of the Choctaw Nation, and from this decision no appeal was taken; that all of said children are on the approved Choctaw rolls; that the petitioners herein are the legitimate descendants of the other brother named Tom Askew, and that they as well as the descendants of the said Murrill Askew and Elizabeth Douglas (nee Askew) are citizens of said nation.

On July 19, 1906, written applications were made to the Commissioner to the Five Civilized Tribes for the enrollment of the following persons as citizens by blood of the Choctaw Nation, under the provisions of the Act of Congress approved April 26, 1906 (34 Stats., 137): Carl Hefner, born February 25, 1906, minor child of Joe H. Hefner and Viula Hefner; Perry O. Askew, born June 4, 1903, minor child of George W. Askew and Dora A. Askew; Oscar O. Askew, born December 22, 1902, and Vernie Askew, born July 11, 1905, minor children of Dallas A. Askew and Carrie M. Askew; Violet Askew, born September 25, 1904, minor child of William H. Askew and Octavia W. Askew; Arthur W. Carter, born January 16, 1904, minor son of Charles Carter and Roxy C. Carter; and Roy Shipman, born August 12, 1905, minor child of Tom Shipman and Thanie Shipman. April 26, 1906, written application was made for the enrollment of Vera Shipman, born September 29, 1903, minor child of Thanie Shipman and T. D. Shipman, as a citizen by blood of the Choctaw Nation.

It does not appear from the records in the possession of the Commissioner to the Five Civilized Tribes that any of the applicants has ever been recognized or enrolled as a citizen of the Choctaw Nation by any duly constituted authority.

The names of none of said applicants appear upon any of the tribal rolls of the Choctaw Nation in the possession of the Commissioner to the Five Civilized Tribes.

I am of the opinion that inasmuch as it does not appear from the record herein or from the records in the possession of this office that any of the applicants who applied to the Commission to the Five Civilized Tribes in 1896 possessed any tribal status as citizens of the Choctaw Nation, said Commission had jurisdiction to pass upon their rights as citizens of said nation, and I am without authority to take any action looking to their enrollment as citizens of said nation, and that the petition in so far as it relates to said applicants should be dismissed, and it is so ordered.

I am further of the opinion that as to those persons whose applications were dismissed for the reason that they failed to appeal to the Choctaw and Chickasaw Citizenship Court, or for the reason that their parents had been denied by a decree of said court, said dismissals should be affirmed, and the petition in so far as it relates to said applicants should be dismissed, and it is so ordered.

[redacted]

Tams Bixby
Commissioner.

Muskogee, Indian Territory,
Oct. 28, 1904.

7-5197.

Muskogee, Indian Territory, October 23, 1906.

COPY.

Rebecca Askew,

Powell, Indian Territory,

Dear Madam:

You are hereby notified that the Commissioner to the Five Civilized Tribes, on October 23, 190 , rendered his decision, dismissing the application and petition for your enrollment as a citizen by blood of the Choctaw Nation.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Tams Bixby

Commissioner.

Registered.

C-105
7-5200 et al.

COPY.

Muskogee, Indian Territory, October 23, 1906.

Thomas Norman,

Attorney at Law,

Ardmore, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered October 23, 1906, dismissing the application and petition for the enrollment of Newt Askew, Nancy M. Askew, Henry E. Askew, William F. Askew, Elizabeth V. Askew, Dallas A. Askew, Roxy C. Askew, Alpha Marie Hefner, Julius Edward Askew, Nancy Ann Hefner, William Q. Askew, Mattie Askew, Ellen Askew, Tom Askew, Rebecca Askew, William T. Askew, Thane Askew, Perry Askew, Tommy Askew, Lillie Askew, Gilbert Askew, Lizzie Askew, Ethel Askew, Robert Floy Shipman, Robert Askew, Mary E. Jackson, Taylor F. Jackson, Alma Jackson, Charley Jackson, Roscoe Jackson, Ethel Jackson, Mary C. Brewer, Emma Brewer, Elmer Brewer, Mary B. Brewer, George W. Askew, Sophia Askew, Alice Askew, Martha E. Turner, Sam Askew, Frankie Beatrice Askew, Leo Askew, and John Askew, as citizens by blood of the Choctaw Nation, and the applications and petition for the enrollment of Martha Askew, Bettie Askew, Lena Askew, and Dora Askew as citizens by intermarriage of said nation and denying the application for the enrollment of Carl Hefner, Perry

T. M. - - #2.

A. Askew, Oscar C. Askew, Vernie Askew, Violet Askew, Arthur W.Carter, Roy Shipman, and Vera Shipman as citizens by blood of the Choctaw Nation, under the provisions of the Act of Congress approved April 26, 1906.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Signed. Tams Bixby

Commissioner.

Registered.

Incl. C-105--J-5200 et al.

6-166
7-5200 et al.

COPY.

Muskogee, Indian Territory, October 23, 1906

Cruce, Cruce and Bleakmore,

Attorneys at Law,

Ardmore, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered October 23, 1906, dismissing the applications and petition for the enrollment of Newt Askew, Nancy M. Askew, Henry E. Askew, William F. Askew, Elizabeth V. Askew, Dallas A. Askew, Roxy C. Askew, Alpha Marie Hefner, Julius Edward Askew, Nancy Ann Hefner, William Q. Askew, Mattie Askew, Ellen Askew, Tom Askew, Rebecca Askew, William T. Askew, Thane Askew, Perry Askew, Tommy Askew, Lillie Askew, Gilbert Askew, Lizzie Askew, Ethel Askew, Robert Floy Shipman, Robert Askew, Mary E. Jackson, Tayler F. Jackson, Alma Jackson, Charley Jackson, Roscoe Jackson, Ethel Jackson, Mary C. Brewer, Emma Brewer, Elmer Brewer, Mary B. Brewer, George W. Askew, Sophia Askew, Alice Askew, Martha E. Turner, Sam Askew, Frankie Beatrice Askew, Lee Askew, and John Askew, as citizens by blood of the Choctaw Nation, and the applications and petition for the enrollment of Martha Askew, Bettie Askew, Lena Askew, and Dora Askew, as citizens by intermarriage of said nation, and denying the application for the enrollment of Carl

S-108

7-1280 et al.

COPY.

Muskogee, Indian Territory, October 25, 1906.

Chester Howe,

Washington Loan and Trust Building,

Washington, D. C.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered October 25, 1906, dismissing the applications and petition for the enrollment of Newt Askew, Nancy M. Askew, Henry E. Askew, William E. Askew, Elizabeth V. Askew, Dallas A. Askew, Roxy C. Askew, Alpha Marie Hefner, Julius Edward Askew, Nancy Ann Hefner, William Q. Askew, Nattie Askew, Ellen Askew, Tom Askew, Rebecca Askew, William T. Askew, Thane Askew, Perry Askew, Tommy Askew, Lillie Askew, Gilbert Askew, Lizzie Askew, Ethel Askew, Robert Floy Shipman, Hebert Askew, Mary E. Jackson, Taylor F. Jackson, Alma Jackson, Charley Jackson, Rosecs Jackson, Ethel Jackson, Mary C. Brewer, Emma Brewer, Elmer Brewer, Mary B. Brewer, George W. Askew, Sophia Askew, Alice Askew, Martha E. Turner, Sam Askew, Frankie Beatrice Askew, Lee Askew, and John Askew, as citizens by blood of the Choctaw Nation, and the applications and petition for the enrollment of Martha Askew, Nettie Askew, Lena Askew, and Dora Askew as citizens by intermarriage of said nation and denying the application for the enrollment of Carl Hefner, Perry

C. L. - - 22.

Q. Askew, Oscar C. Askew, Vernie Askew, Violet Askew, Arthur W. Carter, Roy Shipman and Vera Shipman, as citizens by blood of the Choctaw Nation, under the provisions of the Act of Congress approved April 26, 1906.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED Tams Bixby

Commissioner.

Registered.

Incl. C-105--7-5200 et al.

6-105
7-8360 et al.

COPY.

Muskogee, Indian Territory, October 23,1906.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered October 23, 1906, dismissing the applications and petition for the enrollment of Newt Askew, Nancy M. Askew, Henry E. Askew, William H. Askew, Elizabeth V. Askew, Dallas A. Askew, Roxy C. Askew, Alpha Marie Hefner, Julius Edward Askew, Nancy Ann Hefner, William Q. Askew, Mattie Askew, Ellen Askew, Tom Askew, Rebecca Askew, William T. Askew, Thane Askew, Perry Askew, Tommy Askew, Lillie Askew, Gilbert Askew, Lizzie Askew, Ethel Askew, Robert Floy Shipman, Robert Askew, Mary E. Jackson, Taylor F. Jackson, Anna Jackson, Charley Jackson, Roscoe Jackson, Ethel Jackson, Mary C. Brewer, Emma Brewer, Elmer Brewer, Mary B. Brewer, George W. Askew, Sophia Askew, Alice Askew, Martha E. Turner, Sam Askew, Frankie Beatrice Askew, Lee Askew and John Askew, as citizens by blood of the Choctaw Nation, and the applications and petition for the enrollment of Martha Askew, Nettie Askew, Lena Askew and Dora Askew as citizens by intermarriage of said nation, and denying the application for the enrollment of Carl Hefner,

M. M. & C. - - #2.

Perry Q. Askew, Oscar Q. Askew, Vernie Askew, Violet Askew, Arthur W. Carter, Roy Shipman, and Vera Shipman as citizens by blood of the Choctaw Nation, under the provisions of the Act of Congress approved April 26, 1906.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

CNEI Tams Fixter

Commissioner.

Registered.

Incl. C-105--7-5200 et al.

Copy.

Muskogee, Indian Territory, October 24, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to transmit herewith the record before the Commission to the Five Civilized Tribes and its successor in the matter of the application for the enrollment of Newt Askew, et al., as citizens of the Choctaw Nation, with my decision of October 23, 1906, denying a petition filed with this office by Thomas Norman, attorney at law, Ardmore, Indian Territory, on March 14, 1906, praying for the enrollment of Newt Askew, et al., as citizens of the Choctaw Nation.

This petition was filed under the opinion of the Assistant Attorney General for the Department of the Interior of December 8, 1905 (I.T.D. 3693-1905), in the Loula West case.

The majority of the persons named in the petition submitted by Mr. Norman were denied citizenship in the Choctaw Nation by decrees of the Choctaw and Chickasaw Citizenship Court.

While it is not claimed that the petitioners in question were ever recognized and enrolled by the tribal authorities as citizens of the Choctaw Nation, it is insisted that they are entitled to enrollment by reason of the fact that certain of their co-relatives

have been duly enrolled as citizens of the Choctaw Nation.

I also enclose for the consideration of the Department in connection with the contention of the petitioners, a brief filed with this office on October 1, 1906, by Thomas Norman, Bruce, Cruce & Bleakmore and Chester Howe, attorneys for the petitioners.

This case was the subject of my report of January 15, 1906, to the Department and of Departmental letter of March 12, 1906, (I.T. D 4056-1906).

There is also enclosed herewith the original petition directed to the President of the United Stated and the Secretary of the Interior, which was originally filed with the Department June 20, 1905. The case was also the subject of Departmental letter of October 15, 1906 (I.T.D. 12775-1906), enclosing for report a letter of Chester Howe, attorney at law, Washington, D. C., dated October 10, 1906, and addressed to the Department, requesting that the Commissioner to the Five Civilized Tribes be directed to pass upon the case at the earliest practicable date, to the end that a final decision may be secured upon the questions raised.

I have the honor to further report that the principal petitioners have been advised of the action taken by me on October 23, 1906, and that their attorneys and the attorneys for the Choctaw and Chickasaw Nations have been furnished with a copy of my decision of that date.

Respectfully,

Signed Tams Bixby

Commissioner.

Through the Commissioner
of Indian Affairs.
OP 24-5

Chec 5218 David Davis

5218

Choctaw Court Card a 243

IN THE application of David Davis and others.

Before Judge McKennon

David Davis says:

Mary was admitted as "Mary Burch"

Eddie was admitted as "Edith".

I have been living in the Chickasaw Nation with my family continuously for 11 years.

Ardmore, Sept. 28 1898.

David Davis
Mary Davis
William Davis
Joseph Davis
Lucy Davis
Mary Davis
Noah Davis
Eddie Davis

enrolled.

SIXTH AFFIDAVIT. 199

DEPARTMENT OF THE INTERIOR,

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

ENROLLMENT OF MINORS. ACT OF CONGRESS, APPROVED APRIL 26, 1906.

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation,

of Cindy R. Davis [Here insert name of child], born on the 29 day of July 1904

Name of Father: W. E. Davis a citizen of the Choctaw Nation. (Applied for Enrollment)

Name of Mother: Lena Davis a citizen of the U. S. Nation.

Tribal enrollment of father application pending Tribal enrollment of mother

Postoffice Duncan, I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, Indian Territory, Southern District.

I, Lena Davis, on oath state that I am 20 years of age and a citizen by birth, of the United States Nation; that I am the lawful wife of W. E. Davis, who is a citizen, by birth, of the Choctaw Nation; that a male [Male or Female] child was born to me on 29 day of July, 1904; that said child has been named Cindy R. Davis and was living March 4, 1906.

+ Lena Davis

WITNESSES TO MARK:

[Must be Two Witnesses] .....

.....

Subscribed and sworn to before me this 17th day of July 1906.

E M Bond

Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN OR MID-WIFE.

UNITED STATES OF AMERICA, Indian Territory, Southern District.

I, Mary Davis, a ....., on oath state that I attended on Lena Davis, wife of W. E. Davis, on the 29 day of July, 1904; that there was born to her on said date a male [Male or Female] child; that said child was living March 4, 1906, and is said to have been named Cindy R. Davis

Mary Davis

WITNESSES TO MARK:

[Must be Two Witnesses] .....

.....

Subscribed and sworn to before me this 17th day of July, 1906.

E M Bond

Notary Public.

Doc 5199 Jasaad S. Hunter

5199

...w. Court Card C. 244

...lication of Joseph S. Hunter.

...ttorney

Joseph S. Hunter says:

I have been living in the Territory continuously for 11 years.

Ardmore, Sept. 28 1898.

Joseph S. Hunter

enrolled.

Choc 5200 NOUT ASTRA

Dismissed

See Petition #C-105

5200

ART
DCL

7-5200

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVLLIZED TRIBES.

In the matter of the applications of Alpha Marie Hefner and Nancy Ann Hefner for enrollment as citizens of the Choctaw Nation.

The applicants, Alpha Marie Hefner and Nancy Ann Hefner, claim the right to enrollment as citizens of the Choctaw Nation through their mother, Elizabeth V. Hefner (Viola Elizabeth Hefner), formerly Elizabeth V. Askew.

The right of the applicants' mother, Elizabeth V. Hefner, (Viola Elizabeth Hefner,) formerly Elizabeth V. Askew, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court on September 19, 1904, in case number 1 upon the Tishomingo docket of said court, it is hereby ordered that the applications of Alpha Marie Hefner and Nancy Ann Hefner for enrollment as citizens of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES

Tams Bixby,

Chairman.

Muskogee, Indian Territory,
Nov. 12, 1904.

Choctaw 8200

COPY.

Muskogee, Indian Territory, November 12, 1904.

Elizabeth Viola Hefner,

Willis, Indian Territory,

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated November 12, 1904, dismissing the application for the enrollment of your minor children, Alpha Marie Hefner and Nancy Ann Hefner as citizens of the Choctaw Nation.

Respectfully,

SIGNED

Tams Bixby

Chairman.

Registered.

Incl. 7-8200

Copy.

[redacted], Indian Territory, [redacted], 1904.

Thomas Norman,
Attorney at Law,
Ardmore, Indian Territory,

Dear Sir:

Inclosed herewith you will find copies of the orders of the Commission to the Five Civilized Tribes, dated November 12, 1904, dismissing the applications for the enrollment of Julius Edward Askew, Alpha Marie Hefner and Nancy Ann Hefner as citizens of the Choctaw Nation.

Respectfully,

[redacted]

Tams Bixby,
Chairman.

Registered.

2 Incl. - - - 7-5200.

Chestaw 3200

COPY.

Muskogee, Indian Territory, November 12, 1904.

Mansfield, McMurray & Cornish,
Attorneys for Chactaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find copies of the orders of this Commission dated November 12, 1904, dismissing the applications for the enrollment of Julius Edward Askew, Alpha Marie Hefner and Nancy Ann Hefner as citizens of the Chactaw Nation.

Respectfully,

SIGNED

Tams Bixby

Chairman.

2 Incl. 7-3200.

ART

DOL

7-5200

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Julius Edward Askew for enrollment as a citizen of the Choctaw Nation.

----- ----------

The applicant, Julius Edward Askew, claims the right to enrollment as a citizen of the Choctaw Nation through his father William H. Askew (William Howard Askew.)

The right of the applicant's father, William H. Askew, (William Howard Askew), to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court on September 19, 1904, in case number 1 upon the Tishomingo docket of said court, it is hereby ordered that the application of Julius Edward Askew for enrollment as a citizen of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Tams Bixby,
Chairman.

Muskogee, Indian Territory,
Nov. 12, 1904.

Choctaw 5200

COPY.

Muskogee, Indian Territory, November 12, 1904.

William Howard Askew,

Willis, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated November 12 1904, dismissing the application for the enrollment of your minor child, Julius Edward Askew, as a citizen of the Choctaw Nation.

Respectfully,

SIGNED

Tams Bixby

Chairman.

Registered.

Incl. 7-5200

Choctaw 5200

COPY.

Muskogee, Indian Territory, November 12, 1904.

Thomas Harris,

Attorney at Law,

Ardmore, Indian Territory.

Dear Sir:

Inclosed herewith you will find copies of the orders of the Commission to the Five Civilized Tribes, dated November 12, 1904, dismissing the applications for the enrollment of Julius Edward Askew, Alpha Marie Hefner and Nancy Ann Hefner as citizens of the Chowtaw Nation.

Respectfully,

SIGNED

James Bixby

Chairman.

Registered.

Incl. 2. 7-5200.

COPY.

Muskogee, Indian Territory, November 18, 1904.

Mansfield, McMurray & Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find copies of the orders of this Commission dated November 12, 1904, dismissing the applications for the enrollment of Julius Edward Askew, Alpha Marie Hefner and Nancy Ann Hefner as citizens of the Choctaw Nation.

Respectfully,

Tams Bixby
Chairman.

2 Incl. 7-5200.

Court Card C. 248

In re application of Newt Askew and others.

Sworn by Commissioner McKennon.

Newt Askew says:

I have been living in the Chickasaw Nation with my family continuously for 7 years. I came from Arkansas.

Newt Askew
Nancy M. Askew
William W. Askew
Henry E. Askew
Elizabeth V. Askew
Dallas A. Askew
Roxy C. Askew

Ardmore, Sept. 23 1898.

enrolled.

Choctaw Court Card C. 118

In re application of William Q. Askew and others.

Sworn by Commissioner McKennon.

William Q. Askew says:

I have been living in the Chickasaw Nation about 4 years. Last winter I moved to the Choctaw Nation, about the last of December. I came to the Territory from Tenn. in October 1893.

William Q. Askew
Martha Askew
Mattie Askew
Ellen Askew
Tom Askew

Ardmore, Sept 22 1898.

enrolled.

Choctaw Court Card C. 242

In re application of Rebecca Askew and others.

Sworn by Commissioner McKennon

Rebecca Askew says:

I have been living in the Territory 7 years continuously.

Rebecca Askew

Ardmore, Sept. 23 1898.

enrolled.

Choctaw Court Card C 151

In Re application fo william T. Askew and others.

Sworn by Commissioner Mckennon.

William T. Askew says:

I have lived in the Chickasaw Nation 5 years. I moved to the Choctaw Nation last winter. I have lived here continously since that time. I came from Tenn.

William T. Askew
Bettie Askew
Thane Askew
Perry Askew
Tommy Askew
Lillie Askew
Gilbert Askew
Lizzie Askew

Ardmore Sept. 22, 1898.

Enrolled.

Choctaw Court Card C. 241

In re application of Mary E. Jackson and others.

Sworn by Commissioner McKennon

Mary E. Jackson says:

Ethel was born December 5th 1896. We came to the Territory in 1891 and returned to Texas in 1892. I came back with my family in October 1897.

Mary E. Jackson
Taylor F. Jackson
Alma Jackson
Charley Jackson
Roscoe Jackson
Ethel Jackson

Ardmore Sept. 23 1898.

enrolled.

Choctaw Court Card C. 167

In re application of Mary C. Brewer and others.

Sworn by Commissioner McKennon.

Mary C. Brewer says:

I have been living in the Chickasaw Nation 7 years except 4 months I lived in the Choctaw Nation.

Mary C. Brewer
Emma Brewer
Elmer Brewer

Ardmore, Sept. 23 1898.

enrolled.

Choctaw Court Card C. 119

In re application of George W. Askew and others.

Sworn by Commissioner McKennon.

George W. Askew says:

I have lived in the Chickasaw Nation about 4 years. I now live in the Choctaw Nation, and have lived in the Territory continuously about 7 years. I went to the Choctaw Nation about 2 years ago.

Alice was born September 10th 1897.

George W. Askew
Dora Askew
Sophia Askew
Alice Askew

Ardmore, Sept. 22 1898.

enrolled.

Chootaw Court Card C. 168

In re application of Martha E. Turner.

Sworn by Commissioner McKennon.

Martha E. Turner says:

I have been living here continuously for 7 years.

Martha E. Turner Ardmore, Sept. 23 1898.

enrolled.

Choctaw Court Card C. 289

In re application of Sam Askew and others.

Sworn by Commissioner McKennon.

Sam Askew says:

I married Lena August 18th 1898, under license issued by the United States Court at Ardmore. I am Choctaw by blood. I have been living in the Chickasaw Nation 3 years continuously.

(License and certificate exhibited)

Sam Askew
Lena Askew

Ardmore, Sept. 23, 1898.

enrolled.

Choctaw Court Card C. 248

In re application of John Askew.

Sworn by Commissioner McKennon.

John Askew says:

I have been living in the Chickasaw Nation 7 years. I came from Tenn.

John Askew

enrolled. Ardmore, Sept. 23 1898.

M A R R I A G E L I C E N S E

No. 144

United States of America,)
Indian Territory,)ss.
Southern District.)

To any person authorized by law to solemnize marriage, Greeting:

You are hereby commanded to solemnize the rite and publish the banns of matrimony between Mr. W. H. Askew of Willis in the Indian Territory, aged 32 years and Tavie Wheat of Powell, in the Indian Territory, aged 33 years, according to law, and do you officially sign and return this license to the parties therein named.

Witness my hand and official seal this 26 day of Jany A.D. 1901.

(Signed) C. M. Campbell,
(Seal) Clerk of the United States Court.

C E R T I F I C A T E O F M A R R I A G E.

United States of America,)
Indian Territory,)ss.
Southern District.)

a mg

I, W. S. ewbanks, do hereby certify, that on the 27 day of January A. D., 1901, I did duly and according to law, as commanded in the foregoing license, solemnize the rite and publish the banns of matrimony between the parties therein named.

Witness my hand, this 27 day of January, A.D., 1901.

My credentials are recorded in the office of the Clerk of the United States Court, Indian Territory, Southern District, at Ardmore, Book a g, Page 188.

(Signed) W S ewbanks
a m g

Endorsed on back as follows:

CERTIFICATE OF RECORD OF MARRIAGE

United States of America,)
Indian Territory,)sct.
Southern District.)

I, C. M. Campbell, Clerk of the United States Court, in the Territory and District aforesaid, do hereby certify, that the license for and certificate of marriageof Mr. W. H. Askew and Tavie Wheat were filed in my office in said Territory and District the 5th day of Feb A.D. 1901 and duly recorded in Book E of Marriage Record, Page 304.

Witness my hand and Seal of said Court, at Ardmore, this 8th day of Feby. A. D. 1901.

(Signed) C. M. Campbell, Clerk.

FILED Feb 5 1901 2 P M (Stamped) C. M. Campbell, Clerk.

Department of the Interior,
Commission to the Five Civilized Tribes.
FILED Apr 11 1902
(Stamped) Tams Bixby
Acting Chairman.

Choctaw 5200.

Indorsement on back as follows:

No. 915.

Certificate of Record of Marriages.

United States of America

The Indian Territory Set.

Central District.

I E. J. Fannin, Clerk of the United States Court in the Indian Territory and District aforesaid, do hereby certify that the License for and certificate of the Marriage of

Mr T. D. Shipman and

Miss Thanie Askew was filed in my office in said Territory and District the 24 day of Dec. A.D. 1900 and duly recorded in Book one of Marriage Record, Page 458

Witness my hand and seal of said Court, at Atoka this 2 day of Feby A. D. 1901.

E. J. Fann Clerk.

By D.J.Folsom Deputy.

F I L E D.

Nov 30, 1901.

Tams Bixby, Acting Chairman.

No. 264

MARRIAGE LICENSE.

United States of America,)
The Indian Territory,)ss.
Southern District.)

To any person authorised by law to solemnize marriage, Greeting:

You are hereby commanded to solemnize the rite and publish the banns of matrimony between Mr. Sam Askew of Ada, in the Indian Territory, aged 24 years, and Miss Lenar Lancaster of Ada in the Indian Territory, aged 15 years, according to law, and do you officially sign and return these license to the parties therein named.

Witness my hand and official seal, this 13 day of Aug. A. D. 1898.

(Signed) C. M. Campbell
Clerk of the United States Court.
(Seal) By J. T. Fleming D.C.

CERTIFICATE OF MARRIAGE.

United States of America,)
The Indian Territory,)
Southern District.)

I, R. Shirley, a minister of the Gospell, do hereby certify that on the 18th day of Aug. A.D., 1898 I did duly and according to law, as commanded in the foregoing license, solemnize the rite and publish the banns of matrimony between the parties therein named.

Witness my hand this 18th day of Aug. A. D. 1898.

My credentials are recorded in the office of the Clerk of the United States Court, Indian Territory, Southern District, at Ardmore, Book A. Page 160.

(Signed) Robert Shirley, a ordained minister.

Endorsed as follows: No. 264
Certificate of Record of Marriage.

United States of America,)
The Indian Territory,)Sct. I, C. M. Campbell, Clerk of
Southern District.) the United States Court in the Territory and District aforesaid,

DO HEREBY CERTIFY that the License for and certificate of marriage of Mr. Sam Askew and Laura Lancaster were filed in my office in said Territory and District the 3 day of Sep A.D. 1898 and duly recorded in Book C of Marriage Record Page 468.

Witness my hand and seal of said Court, at Ardmore, this 5 day of Sep
(Signed) C. M. Campbell Clerk.

Filed Sep 3, 1898, 8 A.M. C. M. Campbell Clerk.

Department of the Interior,
Commission to the Five Civilized Tribes
FILED Apr 2, 1901. (Stamped) Tams Bixby,
Acting Chairman.

Chickasaw Nation,)
Indian Territory.) ss.

I, Viola Elisabeth Hefner, do solemnly swear that my maiden name was Viola Elisabeth Askew, and that on the 4th day of June 1899 I married Joe Hefner, who is my husband. I am a duely enrolled member of the Choctaw Nation. On the 1st day of March, 1900, I had born to me as the issue of this marriage with Joe Hefner, a girl baby, who has been named by me Alpha Marie Hefner. This child is now living, and is exhibited to the Notary who takes this affidavit. I ask that it be enrolled as a citizen of the Choctaw Nation. Dr. C. B. Martin, of Willis I.T. waited on me during my confinement, and delivered me of the child mentioned above. My Post office is Willis, I.T.

(Signed) Viola elisbeth Hefner.

(Seal)

Subscribed and sworn to before me this the 17th day of Mch., 1900.

(Signed) C. H. Thomas
Notary Public.

I, Dr. C. B. Martin, of Willis, I.T., do solemnly swear that on the 1st day of March, 1900, I waited on Mrs. Elisabeth Viola Hefner, who before her marriage to Joe Hefner was Miss Elisabeth Viola Askew, the daughter of Nancy Melinda Askew and Newton Askew, and on said 1st day of March, 1900, delivered the said Mrs. Elisabeth Viola Hefner of a girl baby whom its parents have named Alpha Marie Hefner. This child is now living. I am familiar with the contents of the above affidavit of Mrs. Elisabeth Viola Hefner, and know the same to be true.

(Signed) C. B. Martin, M.D.

(Seal)

Subscribed and sworn to before me this the 17th day of March, 1900.

(Signed) C. H. Thomas
Notary Public.

Endorsed on back as follows:

Application for Enrollment of infant child,
Alpha Marie Hefner
as a citizen of the Choctaw Nation.

FILED Apr 10 1900
Commission to Five Tribes.

Approved May 24, 1900.
(Signed) T. B. Needles
Commissioner.

Choctaw 5200

BIRTH AFFIDAVIT. 80

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation,

of Julius Edward Askew (Here insert name of child.), born on the 2nd day of March, 1902

Name of Father: W. H. Askew, a citizen of the Choctaw Nation.

Name of Mother: Tavia Askew, a citizen of the United States Nation.

Post-Office: Willis, I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Southern District.

I, Tavia Askew, on oath state that I am thirty four years of age and a citizen, by marriage, of the Choctaw Nation; that I am the lawful wife of W. H. (Will) Askew, who is a citizen, by blood, of the Choctaw Nation, that a male (Male or female.) child was born to me on the 2nd day of March 1902; that said child has been named Julius Edward Askew, and is now living.

(Signed) Tavia Askew

WITNESSES TO MARK:

(Must be Two Witnesses.)

(Seal)

Subscribed and sworn to before me this 29th *day of* March *1902.*

(Signed) C. H. Thomes

Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Southern District.

I, C. C. Brown, a physician, on oath state that I attended on Mrs. Tavia Askew, wife of W. H. Askew, on the 2nd day of March, 1902; that there was born to her on said date a male (Male or female.) child; that said child is now living and is said to have been named Julius Edward Askew.

(Signed) C. C. Brown

WITNESSES TO MARK:

(Must be Two Witnesses.)

(Seal)

Subscribed and sworn to before me this 29th *day of* March *1902.*

(Signed) C. H. Thomes

Notary Public.

BIRTH AFFIDAVIT. 20

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation,

of Nancy Ann Hefner (Here insert name of child.), born on the 25th day of August, 1901

Name of Father: Joe Hefner, a citizen of the United States Nation.

Name of Mother: Viola Elizabeth Hefner, a citizen of the Choctaw Nation.

Post-Office: Willis, I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Southern District.

I, Viola Elizabeth Hefner (nee Askew), on oath state that I am 23 years of age and a citizen, by blood, of the Choctaw Nation; that I am the lawful wife of Joe Hefner, who is a citizen, by blood, of the United States Nation, that a female (Male or female.) child was born to me on the 25th day of August 1901; that said child has been named Nancy Ann Hefner, and is now living.

Viola Elisbeth Hefner

WITNESSES TO MARK:

(Must be Two Witnesses.)

(Seal)

Subscribed and sworn to before me this 21st *day of* April *1902.*

(Signed) C. H. Thomes

Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Southern District.

I, C. W. Rowland, a physician, on oath state that I attended on Mrs. Viola Elizabeth Hefner, wife of Joe Hefner, on the 25th day of August, 1901; that there was born to her on said date a female (Male or female.) child; that said child is now living and is said to have been named Nancy Ann Hefner.

(Signed) C. W. Rowland

WITNESSES TO MARK:

(Must be Two Witnesses.)

(Seal)

Subscribed and sworn to before me this 21st *day of* April *1902.*

(Signed) C. H. Thomas

Notary Public.

BIRTH AFFIDAVIT. 20

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation,

of Ethel Askew (Here insert name of child.), born on the 16" day of August, 1900

Name of Father: W. T. Askew, a citizen of the Choctaw Nation.

Name of Mother: Bettie Askew, a citizen of the Choctaw Nation.

Post-Office: Folsom, I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Central District.

I, Bettie Askew, on oath state that I am thirty-seven years of age and a citizen, by marriage, of the Choctaw Nation; that I am the lawful wife of W. T. Askew, who is a citizen, by blood, of the Choctaw Nation, that a girl (Male or female.) child was born to me on the 16" day of August 1900; that said child has been named Ethel Askew, and is now living.

(Signed) Bettie Askew

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 29" *day of* September *1900.*

(Seal

(Signed) J. G. Reeder

Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Central District.

I, R. P. Dickey, a physician, on oath state that I attended on Mrs. Bettie Askew, wife of W. T. Askew, on the 16" day of August, 1900; that there was born to her on said date a girl (Male or female.) child; that said child is now living and is said to have been named Ethel Askew.

(Signed) X R. P. Dickey. X

WITNESSES TO MARK:

(Must be Two Witnesses.) C. G. Reeder

V W. McCormack

Subscribed and sworn to before me this 29" *day of* September *1900.*

(Seal)

(Signed) J. G. Reeder

Notary Public.

BIRTH AFFIDAVIT. 20

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation,

of Robert Askew (Here insert name of child.), born on the 19 day of July, 1902

Name of Father: W. T. Askew, a citizen of the Choctaw Nation.

Name of Mother: Bettie Askew, a citizen of the Choctaw Nation.

Post-Office: Folsom I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Central District.

I, Bettie Askew, on oath state that I am 39 years of age and a citizen, by marriage, of the Choctaw Nation; that I am the lawful wife of W. T. Askew, ~~who is a citizen, by~~ blood, of the Choctaw Nation, that a male (Male or female.) child was born to me on the 19 day of July 1902; that said child has been named Robert Askew, and is now living.

Bettie Askew.

WITNESSES TO MARK: (Must be Two Witnesses.)

Subscribed and sworn to before me this 13 *day of* August *190*2.

(SEAL) J.G.Reeder *Notary Public.*

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Central District.

I, R. P.Dickey, a Physican, on oath state that I attended on Mrs. Bettie Askew, wife of W.T. Askew, on the 19 day of July, 1902; that there was born to her on said date a male (Male or female.) child; that said child is now living and is said to have been named robert Askew.

R.P.pickey

WITNESSES TO MARK: (Must be Two Witnesses.)

Subscribed and sworn to before me this 13 *day of* Aug *190*2

(SEAL) J. G. Reeder *Notary Public.*

BIRTH AFFIDAVIT. 20

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation,

of Robert Floy Shipman (Here insert name of child.), born on the 26th day of October, 1901

Name of Father: T. D. Shipman, a citizen of the United States Nation.

Name of Mother: Thanie Shipman, a citizen of the Choctaw Nation.

Post-Office: Folsom, I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Central District.

I, Thanie Shipman, on oath state that I am nineteen years of age and a citizen, by blood, of the Choctaw Nation; that I am the lawful wife of T. D. Shipman, who is a citizen, by _____, of the United States Nation, that a male (Male or female.) child was born to me on the 26th day of October 1901; that said child has been named Robert Floy Shipman, and is now living.

(Signed) Thanie Shipman

WITNESSES TO MARK:

(Must be Two Witnesses.) _____

_____

(Seal)

Subscribed and sworn to before me this 27th *day of* November *1901.*

(Signed) J. G. Reeder.

Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Central District.

I, R. P. Dickey, a physician, on oath state that I attended on Mrs. Thanie Shipman, wife of T. D. Shipman, on the 26th day of October, 1901; that there was born to her on said date a male (Male or female.) child; that said child is now living and is said to have been named Robert Floy Shipman.

(Signed) R. P. Dickey.

WITNESSES TO MARK:

(Must be Two Witnesses.) _____

_____

(Seal)

Subscribed and sworn to before me this 27th *day of* November *1901.*

(Signed) J. G. Reeder.

Notary Public.

BIRTH AFFIDAVIT. 20

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Chocktaw Nation,

of Mary Bell Brewer (Here insert name of child.), born on the 4 day of January, ~~1901~~ 1899

Name of Father: George F. Brewer, a citizen of the Chocktaw Nation.

Name of Mother: Mary Catherine Brewer, a citizen of the Chocktaw Nation.

Post-Office: Powell, I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Southern District.

I, Mary Catherine Brewer, on oath state that I am 32 years of age and a citizen, by blood, of the Chocktaw Nation; that I am the lawful wife of George F. Brewer, who is a citizen, by marage, of the Chocktaw Nation, that a girl (Male or female.) child was born to me on the 4 day of January ~~1901~~ 1899, that said child has been named Mary Bell Brewer, and is now living.

WITNESSES TO MARK:

(Must be Two Witnesses.) Viola Overton, R. J. Overton

her
(Signed) Mary X Cathrine Brewer
mark

Subscribed and sworn to before me this 8th *day of* January *190*0.

(Seal)

(Signed) L. E. Powell
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Southern District.

I, P. F. Robinson, a family phisician, on oath state that I attended on Mrs. Mary Catherine Brewer, wife of George F. Brewer, on the 4 day of January, ~~1901~~ 1899, that there was born to her on said date a girl (Male or female.) child; that said child is now living and is said to have been named Mary Bell Brewer.

WITNESSES TO MARK:

(Must be Two Witnesses.)

(Signed) P. F. Robinson M. D.

Subscribed and sworn to before me this 8 *day of* January *190*0.

(Seal)

(Signed) L. E. Powell
Notary Public.

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Chacktaw Nation,

of Frankie Beatrice Askew, born on the 28 day of Nov, ~~19~~1899

(Here insert name of child.)

Name of Father: Samuel Askew, a citizen of the Chactaw Nation.

Name of Mother: Lener Askew, a citizen of the Chactaw Nation.

Post-Office: Knox I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, _____ District.

I, Lener Askew, on oath state that I am 16 years of age and a citizen, by marriage, of the Chactaw Nation; that I am the lawful wife of Samuel Askew, who is a citizen, by blood, of the Chactaw Nation, that a female (Male or female.) child was born to me on the 28 day of Nov ~~19~~1899, that said child has been named Frankie Beatrice Askew, and is now living.

(Signed) Lener Askew

WITNESSES TO MARK:

(Must be Two Witnesses.)

(Seal)

Subscribed and sworn to before me this 13 *day of* March *1900.*

(Signed) John A. Clark.

Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, _____ District.

I, F. S. Sturdivant, a physician, on oath state that I attended on Mrs. Lener Askew, wife of Samiel Askew, on the 28 day of November, ~~19~~1899, that there was born to her on said date a female (Male or female.) child; that said child is now living and is said to have been named Frankie Beatrice Askew.

F. S. Sturdivand

WITNESSES TO MARK:

(Must be Two Witnesses.)

(Seal)

Subscribed and sworn to before me this 13 *day of* March *190*0.

John A. Clark.

Notary Public.

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation,

of Leo (Here insert name of child.), born on the 21 day of January, 1901

Name of Father: Saml Askew, a citizen of the Choctaw Nation.

Name of Mother: Lena, a citizen of the Choctaw Nation.

Post-Office: Knox, I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Southern District.

I, Lena Askew, on oath state that I am 17 years of age and a citizen, by marriage, of the Choctaw Nation; that I am the lawful wife of Saml Askew, who is a citizen, by blood, of the Choctaw Nation, that a male (Male or female.) child was born to me on the 21 day of January 1901; that said child has been named Leo, and is now living.

(Signed) her Lena X Askew mark

WITNESSES TO MARK:

(Must be Two Witnesses.) J. F. Raney

W. T. Nolen

Subscribed and sworn to before me this 4 day of March 1901.

(Seal) (Signed) J. H. Cahern

Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Southern District.

I, N. B. Breckenridge, a physician, on oath state that I attended on Mrs. Saml Askew, wife of Saml Askew, on the 21 day of January, 1901; that there was born to her on said date a male (Male or female) child; that said child is now living and is said to have been named Leo Askew.

(signed) N. B. Breckenridge M. D.

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 4 day of March 1901.

(Seal) (Signed) J. H. Cahern

Notary Public.

7-8260.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the applications of Alpha Maria Hefner and Nancy Ann Hefner for enrollment as citizens of the Choctaw Nation.

The applicants, Alpha Maria Hefner and Nancy Ann Hefner, claim the right to enrollment as citizens of the Choctaw Nation through their mother, Elizabeth V. Hefner (Viola Elizabeth Hefner), formerly Elizabeth V. Askew.

The right of the applicants' mother, Elizabeth V. Hefner (Viola Elizabeth Hefner) formerly Elizabeth V. Askew, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court on September 19, 1904, in case number 1 upon the Tishomingo docket of said court, it is hereby ordered that the applications of Alpha Maria Hefner and Nancy Ann Hefner for enrollment as citizens of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Muskogee, Indian Territory,
NOV 12 1904

7-2200.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Julius Edward Askew for enrollment as a citizen of the Choctaw Nation.

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The applicant, Julius Edward Askew, claims the right to enrollment as a citizen of the Choctaw Nation through his father William H. Askew (William Howard Askew).

The right of the applicant's father, William H. Askew (William Howard Askew), to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court on September 19, 1904, in case number 1 upon the Tishomingo docket of said court, it is hereby ordered that the application of Julius Edward Askew for enrollment as a citizen of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Muskogee, Indian Territory,
NOV 12 1904

S-6128. DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-oOo-

In the matter of the application for the enrollment of Mary B. Brewer (Mary Bell Brewer) as a citizen of the Choctaw Nation.

The applicant, Mary B. Brewer (Mary Bell Brewer), claims her right to enrollment as a citizen of the Choctaw Nation through her mother, Mary C. Brewer (or Mary Catherine Brewer or May Catherine Brewer).

The right of the applicant's mother, Mary C. Brewer (or Mary Catherine Brewer or May Catherine Brewer), to citizenship in the Choctaw Nation having been adversely determined by a degree of the Choctaw and Chickasaw Citizenship Court on September 19, 1904, in case No. 1 upon the Tishomingo Docket of said court, it is hereby ordered that the application of Mary B. Brewer (Mary Bell Brewer) for enrollment as a citizen of the Choctaw Nation, be rejected.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory,

NOV 12 1904

Chairman.

7-5214.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the applications of Frankie Beatrice Askew and Lee Askew for enrollment as citizens by blood of the Choctaw Nation, and for the enrollment of Lena Askew as a citizen by intermarriage of said nation.

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The applicants, Frankie Beatrice Askew and Lee Askew, claim the right of enrollment as citizens by blood of the Choctaw Nation through their father Sam Askew, and the applicant, Lena Askew, claims her right to enrollment as a citizen by intermarriage of said nation by reason of her marriage to the said Sam Askew.

The right of the said Sam Askew to enrollment as a citizen by blood of the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court on September 19, 1904, in case number 2 upon the Tishomingo docket of said court, it is hereby ordered that the applications of Frankie Beatrice Askew and Lee Askew for enrollment as citizens by blood of the Choctaw Nation and of Lena Askew for enrollment as a citizen by intermarriage of said nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Muskogee, Indian Territory,

NOV 12 1904

7-8074. DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Alice Askew as a citizen by blood of the Choctaw Nation.

COPY.

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The applicant, Alice Askew, claims her right to enrollment as a citizen by blood of the Choctaw Nation through her father, George W. Askew (or George Washington Askew).

The right of the applicant's father, George W. Askew (or George Washington Askew), to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, on September 19, 1904, in case No. 2 upon the Tishomingo Docket of said court, it is hereby ordered that the application of Alice Askew for enrollment as a citizen by blood of the Choctaw Nation, be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

(SIGNED) Tams Bixby
Chairman.

Muskogee, Indian Territory.
NOV 12 1904

982
73

T-1205.

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

-oOo-

In the matter of the application for the enrollment of Ethel Askew and Robert Askew as citizens by blood of the Choctaw Nation.

It appears from the record that the applicants, Ethel Askew and Robert Askew, claim their right to enrollment as citizens by blood of the Choctaw Nation through their father, William T. Askew (or William Thomas Askew).

The right of the applicants' father, William T. Askew, (or William Thomas Askew), to citizenship in the Choctaw Nation, having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court of September 19, 1904, in case No. 8 upon the Tishomingo Docket of said court, it is hereby ordered that the application of Ethel Askew and Robert Askew, for enrollment as citizens by blood of the Choctaw Nation, be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory.

NOV 12 1904

T-8108.

COPY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Robert Floy Shipman for enrollment as a citizen by blood of the Choctaw Nation.

The applicant, Robert Floy Shipman, claims the right to enrollment as a citizen by blood of the Choctaw Nation through his mother, Thane Shipman (formerly Thane Askew).

The right of the applicant's mother, Thane Shipman (formerly Thane Askew), to enrollment as a citizen by blood of the Choctaw Nation having been adversely determined by a decree of the Choctaw-Chickasaw Citizenship Court of September 19, 1904, in case numbered 2 upon the Tishomingo Docket of said Court, it is hereby ordered that the application of Robert Floy Shipman, for enrollment as a citizen by blood of the Choctaw Nation, be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES

(SIGNED)

Tams Bixby

Chairman.

Muskogee, Indian Territory,

NOV 12 1904

7-8196. DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-oOo-

In the matter of the application for the enrollment of Ethel Jackson (Orie Ethel Jackson) as a citizen of the Choctaw Nation.

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The applicant, Ethel Jackson (Orie Ethel Jackson), claims her right to enrollment as a citizen of the Choctaw Nation through her mother, Mary E. Jackson (or Mary Ellen Jackson).

The right of the applicant's mother, Mary E. Jackson (or Mary Ellen Jackson), to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court on September 19, 1904, in case No. 1 upon the Tishomingo Docket of said court, it is hereby ordered that the application of Ethel Jackson (Orie Ethel Jackson)for enrollment as a citizen of the Choctaw Nation, be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Muskogee, Indian Territory,
NOV 12 1904

1-5123.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Martha E. Turner as a citizen by blood of the Choctaw Nation.

----o----

It appears from the records of the Commission that on September 7, 1896 in the case entitled "Murrell W. Askew, et al., vs. Choctaw Nation" (1896 Choctaw Citizenship Docket, case number 2) original application was made to the Commission under the provisions of the act of Congress approved June 10, 1896 (29 Stat., 321), for the admission of the applicant Martha E. Turner as a citizen by blood of the Choctaw Nation and on December 1, 1896 the said Martha E. Turner was by this Commission denied admission as a citizen by blood of the Choctaw Nation. From this decision of the Commission an appeal was taken to the United States Court for the Southern District of Indian Territory which court in the case entitled "Murrell Washington Askew, et al., vs. Choctaw Nation" (Citizenship Case, number 72) reversed the decision of the Commission denying said Martha E. Turner admission to citizenship in the Choctaw Nation and admitted said Martha E. Turner (as Mrs. Martha Etta Turner) as a citizen by blood of said nation.

It further appears from the records in the possession of the Commission that on December 17, 1902 the Choctaw and Chickasaw Citizenship Court, created by the provisions of the act of Congress approved July 1, 1902 (32 Stat., 641) "set aside, annulled, vacated and held for naught" the aforesaid judgment of the United States Court for the Southern District of Indian Territory. Said cause has not been appealed or certified to the said Choctaw and Chickasaw Citizenship Court for a trial de novo within the time prescribed by the provisions of said act of Congress approved July 1, 1902.

In accordance with the opinion of the Acting Attorney General dated May 9, 1904 (I.T.D. 3824-1904) and the opinion of the Assistant Attorney General for the Department of the Interior dated July 30, 1904 (I.T.D. 5246-1904) the Commission to the Five Civilized Tribes is without authority to take any action of any character looking to the enrollment

[redacted]



[redacted]

Muskogee, Indian Territory,

DEC 3 1904

Department of the Interior,

Commissioner to the Five Civilized Tribes.

Newt Askew et al, petitioners.	1	
	1	
vs.	1	Petition for identification and enrollment.
Choctaw & Chickasaw Nations, defendants.	1	
	1	
	1	

Come now petitioners herein, Newt Askew, Nancy Malinda Askew, John Askew, Dallas Alexander Askew, Carrie Margarette Askew, Roxie Cordedelia Carter(Nee Askew), Marshall Turner, Mary Ellen Jackson, Tom Jackson, Taylor Jackson, Alma Jackson, Charley Jackson, Roscoe Jackson, Ethel Jackson, Viola Elizabeth Hefner, Joe Hefner, Alpha Marie Hefner, Nancy Ann Hefner, Mary Catherine Brewer, George Brewer, Emma Narcissus Brewer, Elmer Washington Brewer, Mary Belle Brewer, William Howard Askew, Tavia Askew, Julius Edward Askew, Rebecca Askew, William Quint Askew, Martha Askew, Mattie Askew, Ellen Askew, Tom Askew, William Thomas Askew, Bettie Askew, Perry Askew, Tom Askew, Lillie Askew, Gilbert Askew, Lizzie Askew, Ethel Askew, Robert Askew, Thaney Shipman, Floy Shipman, George Washington Askew, Dora Anderson Askew, Sophia Askew, Alice Askew, Sam Askew, Lena Askew and Leo Askew, and respectfully state that they and each of them are citizens of the choctaw nation, and that as citizens of that nation, they and each of them is entitled to be identified and enrolled on the rolls of citizens of that nation, and to the enjoyment of all the rights, priviliges and immunities enjoyed by any other citizen of that nation.

As grounds therefor, the allege that they are Choctaw Descendants of Choctaw ancestry, and that they and each of them came to the Indian Territory, and took up a residency therein between the years of 1880 and 1890, and that from that time until the present date they have continued to reside in either the Choctaw or Chickasaw nations, bona fide and in good faith; that they came to the Territory

on the invitation of the Choctaw Nation, claiming before and after their removal to said Choctaw and Chickasaw Nations to be citizens of said Nation in virtue of their Choctaw blood and Choctaw descent; that from and after the year1890 until the present date they have at all times resided in one or the other of said nations, and have at all times been citizens of the Choctaw Nation. They state further that all their kinsfolks on the Choctaw Indian side of the family, or a great many of them, are on the rolls of citizens of the Choctaw Nation, and that such ones of them have taken their allotment of lands and drawn their share of the monies thereof heretofore distributed, and that their enrollment has long since been approved by the Secretary of the Interior.

Petitioners state further that, among other children, an old half blood Choctaw Indian named Aaron Askew had three children, two boys names Murrill and Tom, and one girl named Elizabeth or Betty who married a man named Douglas. That the United States Indian Agent rendered a decision about 1890, which was approved by the Choctaw Council, in which he adjudged the Children of Murrill Askew to be citizens of the Choctaw Nation; all of whom are now on the approved rolls of Choctaws; that in 1896 the Commission to the Five Civilized Tribes rendered a decision that the children of Elizabeth Douglas were citizens of the Choctaw Nation, and from this decision no appeal was taken, all of whom are on the approved Choctaw rolls. That your petitionerssherein are the legitimate descendants of the other brother named Tom Askew, and that they, as well as the descendants of the said Murrill Askew and Elizabeth Douglas(nee Askew) are citizens of said nation.

Applicatios gor their identification and enrollment was made to the Commission to the Five Civilized Tribes in 1896 and in 1898 in due time, but said Commission, contrary to law, and without any authority therefor, refused to identify and enroll them, absolutly refusing to give any force and effect to that provision of the Act of June 10, 1896, requiring said Commission to give due force and effect to the rolls, usages, and customs of the tribes, or to

[illegible] provisions thereof which confirmed the rolls of the tribes.

Appeal was taken to the United States Courts by petitioners and said Court declared them to be of Choctaw descent and citizens of the Choctaw nation; later this judgment was vacated by the Citizenship Court and on review by said last named court, they were denied enrollment. Petitioners allege that the Citizenship Court and the United States Court were without jurisdiction to deny them enrollment, and that the only power or authority either court possessed was to adopt persons into the tribes; that petitioners were already citizens thereof, see decision in the case of..... Long et al., were residents in good faith, and had been such residents for a long time theretofore, and that the judgment of said courts was a nullity and void. That at most, the decision of the Citizenship court, if any attention is to be given it, is not binding or obligatory, but is advisory merely and only, and under the facts herein the department of the Interior and this Commission should decline to accept its advice; see decision in the case of In Re Sanborn, 148 U.S. 222.

Wherefore, considering the above, petitioners pray to be identified and enrolled as citizens of the Choctaw Nation, and for any and all other proper and suitable relief.

I, Thos. Norman, as Attorney for petitioners, do solemnly swear that the facts and statements contained in the above and foregoing petition and true and correct, as I verily believe.

Thos. Norman.

Subscribed and sworn to before me this the 9 day of March, 1906.

T. C. Bridgman.
Notary Public.

(SEAL)

Indorsed on back as follows:

No. 165.
Newt Askew et al.

F I L E D Mar 14 1906.
Tams Bixby, Commissioner.

Thos. Norman,
Ardmore, I. T.

Newt Askew et al. petitioners.

vs.

Choctaw & Chickasaw Nations, defendants.

I, Thos. Norman, do solemnly swear that I served a true and correct, perfect and literal copy of the petition in the above styled case of Newt Askew et al on Mansfield, McMurray & Cornish, on the 9th day of March, 1906, by registering to said Attorneys address-to them at South McAlester, I. T., the aforesaid copy, and theat the registry receipt hereto attached was issued on said registration.

Thos. Norman.

Subscribed and swornto before me this March 9, 1906.

(SEAL)

T. C. Bridgman.

(Registry Receipt attached).

A BRIEF STATEMENT

OF THE LAW APPLICABLE TO THIS PARTICULAR CASE,

A COURT CLAIMANT.

The power of Congress over the Choctaw and Chickasaw Nations, is plenary that is without limit. (See cases in Supreme Court rendered within the last five years). In the exercise of this penary power, Congress has seen fit to confide the ultimate approval of the rolls to the Secretary of the Interior. There is no provision anywhere for confiding the last approval to any other tribunal.

The Commission to the Five Civilized Tribes as well as the Citizenship Court are tribunals created to aid the Secretary in maing the rolls. In each instance the judgment either tribunal renders is advisory merely.

The Choctaw-Chickasaw Citizenship Court is styled a Court, but we must not be misled by a name. You test the tribunal by the powers granted it. It the tribunal has no power to enforce its judgment, it is not a court, whatever name it may bear. There are two things absolutely necessary to exist for the tribunal to be a court; first, the power to pronounce judgment; second, the power to enforce its judgment after being rendered. If it has no power to enforce its judgment it is only a Commission. Gordon vs. United States, 117 U.S. 697. This case was rendered by Chief Justice Taney, and a reading of it will convince the readed that the so-called Citizenship Court was not a court at all, only a Commission. It had no power to enforce its judgments, and a refusal to follow its decision could not subject any one to contempt. Its records now with this Commission is here only under authority of the Secretary. It had no right to even certify their judgments, except such authority as the Secretary might give it.

Section 27 of what is commonly called the supplemental treaty, ratified September the 25th, 1902, provides,

> "The rolls of the Choctaw and Chickasaw citizens and Choctaw and Chickasaw freedmen shall be made by the 'BY THE COMMISSION TO THE FIVE CIVILIZED TRIBES, in a strict compliance with the act of Congress approved June 28th, 1898, and the act of congress approved May 31, 1900, except as herein otherwise provided: provided, that no person claiming right to enrollment and allotment and distribution of tribal property by virtue of a judgment of the United States Court in the Indian Territory under the act of June 10, 1898, and which right is contested by legal proceedings instituted under the provisions of agreement, shall be enrolled or receive allotment of land lands or distribution of of tribal property until his right has been finally determined."

This act makes it the duty of the COMMISSION to make the enrollment, and no other tribunal; and as to these persons, not to make any enrollment until their rights are finally determined. No where does it state that its enrollment must be in acoordance with such Citizenship Courts decision. No where are their rights to make enrollment affected by said Courts judgment, except that it must not be done until after their final judgment. After final judgment by that tribunal, then the Commission shall proceed, but not till then.

There being nothing said as to the effect to be given to said Courts decision, we must treat the subject in the light of its true condition, that is in the light of absence of all mention. It is entirely silent on that subject. Then what rule applies in such a case? That where the act is silent, we must construe it in the light of the general and customary rules governing such cases. These are, that if the tribu-nal rendering the decission has no power to enforce its decision, its judgment is advisory merely, and nothing more.

Hence, the judgment of the said Court being advisory, and they having finally acted, the matter is up tothe Commission to act. It can follow the advise of that tribunal, or it can reject it. In this case it ought to reject the advice.

But it is said that the word final used as to their decisions,

menas that you should enroll according to its judgment. Strange doctrine this. To be final does not compell you to enroll in accordance with it. It is final in the sense that it cannot be appealed from to some other court. When final, no appeal lies, that is all. No other meaning is allowable.

Endorsed on back as follows:

5813	Indian Office Incl. No. 2	1906
23016	Indian Office Incl. No. 2	1906

Department of the Interior,
Commissioner to the Five Civilized Tribes
FILED may 20, 1906 (Stamped) Tams Bixby
Commissioner.

Department of the Interior
Commission to the Five Civilized Tribes.
FILED Sep-5 1905 (Stamped) Tams Bixby
Commissioner.

BIRTH AFFIDAVIT. 199

DEPARTMENT OF THE INTERIOR,

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

ENROLLMENT OF MINORS. ACT OF CONGRESS, APPROVED APRIL 26, 1906.

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation,

of Carl Hefner [Here insert name of child], born on the 23rd day of February 1906.

Name of Father: Joe H. Hefner a citizen of the U.S. Nation.

Name of Mother: Viola Hefner a citizen of the Choctaw Nation.

Tribal enrollment of father U.S. Tribal enrollment of mother Choctaw

Postoffice Willis, I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, Indian Territory,
Southern District.

I, Viola Hefner, on oath state that I am 25 years of age and a citizen by blood, of the Choctaw Nation; that I am the lawful wife of Joe H. Hefner, who is a citizen, by marriage, of the Choctaw Nation; that a male [Male or Female] child was born to me on 23rd day of February 1906.; that said child has been named Carl Hefner and was living March 4, 1906.

(Seal)

Viola E. Hefner

WITNESSES TO MARK:

[Must be Two Witnesses]

Subscribed and sworn to before me this 30th day of June 1906.

(Signed) C. H. Themes
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN OR MID-WIFE.

UNITED STATES OF AMERICA, Indian Territory,
Southern District.

I, C. W. Rowland, a physician, on oath state that I attended on Viola Hefner, wife of Joe H. Hefner on the 23rd day of February 1906.; that there was born to her on said date a male [Male or Female] child; that said child was living March 4, 1906, and is said to have been named Carl Hefner

(Signed) C. W. Rowland

WITNESSES TO MARK:

[Must be Two Witnesses]

(Seal)

Subscribed and sworn to before me this 30th day of June 1906.

(Signed) C. H. Themes
Notary Public.

BIRTH AFFIDAVIT. 199

DEPARTMENT OF THE INTERIOR,

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

ENROLLMENT OF MINORS. ACT OF CONGRESS, APPROVED APRIL 26, 1906.

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the ..... Choctaw ..... Nation,

of ..... Parry Q. Askew ..... [Here insert name of child], born on the 4th day of June 1903.

Name of Father: Geo W Askew ..... a citizen of the Choctaw Nation.

Name of Mother: Dora A Askew ..... a citizen of the Choctaw Nation.

Tribal enrollment of father Choctaw ..... Tribal enrollment of mother Choctaw .....

Postoffice ..... Calvin, I.T. .....

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, Indian Territory, }
..... Central ..... District. }

I, ... Dora A Askew ....., on oath state that I am 38 .....

years of age and a citizen by marriage ....., of the Choctaw ..... Nation;

that I am the lawful wife of ..... George W. Askew ....., who is a citizen, by

blood ....., of the Choctaw ..... Nation; that a male [Male or Female] child was

born to me on 4th day of June ....., 1903 .; that said child has been named

Perry Q. Askew ..... and was living March 4, 1906.

(Signed) Dora A Askew .....

WITNESSES TO MARK:

[Must be Two Witnesses] .....
.....

Subscribed and sworn to before me this 5th day of July 1906.

My commission expires
Mch 11 1909

(Signed) L. H. Ritter ..... (Seal)
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN OR MID-WIFE.

UNITED STATES OF AMERICA, Indian Territory, }
..... Central ..... District. }

I, ... N. J. Johnson ....., a physician ....., on oath state that I

attended on ..... Dora A ....., wife of ..... George W. Askew .....

on the 4th day of June ....., 1903 .; that there was born to her on said date a male [Male or Female]

child; that said child was living March 4, 1906, and is said to have been named ..... Perry Q Askew .....

.....

(Signed) N. J. Johnson M. D. (Seal)

WITNESSES TO MARK:

[Must be Two Witnesses] .....
.....

Subscribed and sworn to before me this 5th day of July 1906.

My commission expires
Mch.11-1909

(Signed) L. H. Ritter .....
Notary Public.

BIRTH AFFIDAVIT. 199

DEPARTMENT OF THE INTERIOR,

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

ENROLLMENT OF MINORS. ACT OF CONGRESS, APPROVED APRIL 26, 1906.

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation,

of Oscar G. Askew, born on the 22nd day of December 1902.
[Here insert name of child]

Name of Father: Dallas A. Askew a citizen of the Choctaw Nation.

Name of Mother: Carrie M. Askew a citizen of the U.S. Nation.

Tribal enrollment of father Choctaw Tribal enrollment of mother U.S.

Postoffice Willis, I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, Indian Territory,
Southern District.

I, Carrie M. Askew, on oath state that I am 20 years of age and a citizen by marriage of the Choctaw Nation; that I am the lawful wife of Dallas A. Askew, who is a citizen, by blood, of the Choctaw Nation; that a male [Male or Female] child was born to me on 22ond day of December, 1902; that said child has been named Oscar Gilbert Askew and was living March 4, 1906.

Carrie M. Askew

WITNESSES TO MARK:

[Must be Two Witnesses]

Subscribed and sworn to before me this 2ond day of July 1906.

(Seal) (Signed) C. H. Thomes
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN OR MID-WIFE.

UNITED STATES OF AMERICA, Indian Territory,
Southern District.

I, J. P. Collins, a physician, on oath state that I attended on Carrie M. Askew, wife of Dallas A. Askew on the 22ond day of December, 1902; that there was born to her on said date a male [Male or Female] child; that said child was living March 4, 1906, and is said to have been named Oscar Gilbert Askew

(Signed) Dr. J. P. Collins

WITNESSES TO MARK:

[Must be Two Witnesses]

Subscribed and sworn to before me this 3rd day of July 1906.

(Seal) (Signed) C. H. Thomes
Notary Public.

BIRTH AFFIDAVIT.

DEPARTMENT OF THE INTERIOR,

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

ENROLLMENT OF MINORS. ACT OF CONGRESS, APPROVED APRIL 26, 1906.

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the ..... Choctaw ..... Nation,

of ..... Vernic Askew ....., born on the ...11th day of July .....1905.
[Here insert name of child]

Name of Father: ..... Dallas A. Askew ..... a citizen of the ....Choctaw ..... Nation.

Name of Mother: ..... Carrie M. Askew ..... a citizen of the ..... U. S. ..... Nation.

Tribal enrollment of father ...Choctaw ..... Tribal enrollment of mother ..... U. S. .....

Postoffice ..... Willis, I.T. .....

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, Indian Territory,
..... Southern ..... District.

I, ... Carrie M. Askew ....., on oath state that I am ..... 20 .....

years of age and a citizen by ..marriage...., of the ..... Choctaw ..... Nation;

that I am the lawful wife of ..... Dallas A. Askew ....., who is a citizen, by

.....blood....., of the ..... Choctaw .....Nation; that a ..male.....child was
[Male or Female]

born to me on .....11th.....day of ..... July ....., 1905...; that said child has been named

..... Vernic Askew ..... and was living March 4, 1906.

(Signed) ...Carrie M. Askew .....

WITNESSES TO MARK:

[Must be Two Witnesses] { .....
.....

Subscribed and sworn to before me this .....2ond.....day of .....July..... 1906.

(Seal) (Signed) C. H. Thomes .....
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN OR MID-WIFE.

UNITED STATES OF AMERICA, Indian Territory,
.....Southern..... District.

I, ...C. W. Rowland....., a...physician....., on oath state that I

attended on .....Carrie M. Askew....., wife of.....Dallas A. Askew.....

on the ...11th.....day of..July....., 1905...; that there was born to her on said date a.....male....
[Male or Female]

child: that said child was living March 4, 1906, and is said to have been named.....Vernic Askew.....

.....

(Signed) C. W. Rowland .....

WITNESSES TO MARK:

[Must be Two Witnesses] { .....
.....

Subscribed and sworn to before me this .....2nd.....day of .....July..... 1906.

(Seal) (Signed) C. H. Thomes .....
Notary Public.

BIRTH AFFIDAVIT. 1909

DEPARTMENT OF THE INTERIOR.

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

ENROLLMENT OF MINORS. ACT OF CONGRESS, APPROVED APRIL 26, 1906.

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation,

of Violet Askew [Here insert name of child], born on the 25th day of September 1904

Name of Father: William H. Askew a citizen of the Choctaw Nation.

Name of Mother: Octavia W. Askew a citizen of the U.S. Nation.

Tribal enrollment of father Choctaw Tribal enrollment of mother U.S.

Postoffice Willis, I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, Indian Territory,
Southern District.

I, Octavia Askew, on oath staje that I am 39 years of age and a citizen by marriage, of the Choctaw Nation; that I am the lawful wife of William H. Askew, who is a citizen, by blood, of the Choctaw Nation; that a female [Male or Female] child was born to me on 25th day of September, 1904.; that said child has been named Violet Askew and was living March 4, 1906.

Octavie Askew

WITNESSES TO MARK:

[Must be Two Witnesses]

Subscribed and sworn to before me this 30th day of June 1906.

(Seal) (Signed) C. H. Thomes
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN OR MID-WIFE.

UNITED STATES OF AMERICA, Indian Territory,
Southern District.

I, J. P. Collins, a physician, on oath state that I attended on Octavia Askew, wife of William H. Askew on the 25th day of September, 1904.; that there was born to her on said date a female [Male or Female] child; that said child was living March 4, 1906, and is said to have been named Violet Askew

(Signed) Dr. J. P. Collins

WITNESSES TO MARK:

[Must be Two Witnesses]

Subscribed and sworn to before me this 2 ond day of July 1906.

Seal (Signed) C. H. Thomes
Notary Public.

BIRTH AFFIDAVIT.

DEPARTMENT OF THE INTERIOR,

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

ENROLLMENT OF MINORS. ACT OF CONGRESS, APPROVED APRIL 26, 1906.

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation,

of Arthur W. Carter [Here insert name of child], born on the 16th day of January 1904.

Name of Father: Charles Carter a citizen of the U. S. Nation.

Name of Mother: Roxy C. Carter a citizen of the Choctaw Nation.

Tribal enrollment of father U. S. Tribal enrollment of mother Choctaw

Postoffice Willis I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, Indian Territory, Southern District.

I, Roxy C. Carter, on oath state that I am 21 years of age and a citizen by blood, of the Choctaw Nation; that I am the lawful wife of Charles Carter, who is a citizen, by marriage, of the Choctaw Nation; that a male [Male or Female] child was born to me on 16th day of January, 1904.; that said child has been named Arthur W Carter and was living March 4, 1906.

(Signed) Roxie C. Carter

WITNESSES TO MARK:

[Must be Two Witnesses] .....

.....

Subscribed and sworn to before me this 30th day of June 1906.

(Seal)

(Signed) C. H. Thomes
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN OR MID-WIFE.

UNITED STATES OF AMERICA, Indian Territory, Southern District.

I, J. P. Collins, a physician, on oath state that I attended on Roxy C. Carter, wife of Charles Carter on the 16th day of January 1904.; that there was born to her on said date a male [Male or Female] child; that said child was living March 4, 1906, and is said to have been named Arthur W. Carter

(Signed) Dr. J. P. Collins

WITNESSES TO MARK:

[Must be Two Witnesses] .....

.....

Subscribed and sworn to before me this 2ond day of July 1906.

(Seal)

(Signed) C. H. Thomes
Notary Public.

BIRTH AFFIDAVIT. 190

DEPARTMENT OF THE INTERIOR,

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

ENROLLMENT OF MINORS. ACT OF CONGRESS, APPROVED APRIL 26, 1906.

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation,

of Roy Shipman [Here insert name of child], born on the 12 day of Aug 905.

Name of Father: Tom Shipman a citizen of the U. S. Nation.

Name of Mother: Thanie Shipman nee Askew a citizen of the Choctaw Nation.

Tribal enrollment of father none Tribal enrollment of mother Choctaw

Postoffice Hail I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, Indian Territory, Central District.

I, Thanie Shipman, on oath state that I am 23 years of age and a citizen by blood, of the Choctaw Nation; that I am the lawful wife of Tom Shipman, who is a citizen, by ....., of the U. S. Nation; that a male [Male or Female] child was born to me on 12 day of Aug, 1905; that said child has been named Roy Shipman and was living March 4, 1906.

(Signed) Thanie Shipman

WITNESSES TO MARK:

[Must be Two Witnesses] .....

.....

Subscribed and sworn to before me this 5 day of July 1906.

My commission Exp Jan. 9/1910

(Signed) H. B. Hurrell (Seal)

Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN OR MID-WIFE.

UNITED STATES OF AMERICA, Indian Territory, Central District.

I, W. B. Bentley, a physician, on oath state that I attended on Mrs. Thanie Shipman, wife of Thomas Shipman on the 12 day of Aug, 1905; that there was born to her on said date a male [Male or Female] child; that said child was living March 4, 1906, and is said to have been named Roy Shipman

.....

(Signed) W. B. Bentley, M.D.

WITNESSES TO MARK:

[Must be Two Witnesses] .....

.....

Subscribed and sworn to before me this 5th day of July 1906.

My commission Exp Jan. 9/1910

(Signed) H. B. Hurrell (Seal)

Notary Public.

SMITH AFFIDAVIT. 20

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation,

of Vera Shipman (Here insert name of child.), born on the 29 day of September, 1903

Name of Father: T. D. Shipman, a citizen of the Choctaw Nation.

Name of Mother: Thanie Shipman, a citizen of the Choctaw Nation.

Post-Office: Folsom, I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Central District.

I, Thanie Shipman, on oath state that I am 21 years of age and a citizen, by blood, of the Choctaw Nation; that I am the lawful wife of T. D. Shipman, who is a citizen, by Marriage, of the Choctaw Nation, that a female (Male or female.) child was born to me on the 29 day of September 1903; that said child has been named Vera Shipman, and is now living.

Thanie Shipman

WITNESSED TO MARK:

(Must be Two Witnesses.) _____

_____

Subscribed and sworn to before me this 16 *day of* November *1903.*

(SEAL) J. G. Reeder *Notary Public.*

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Central District.

I, L. R. Summers, a Mid wife, on oath state that I attended on Mrs. Thanie Shipman, wife of T. D. Shipman, on the 29 day of September, 1903; that there was born to her on said date a female (Male or female.) child; that said child is now living and is said to have been named Vera Shipman.

Mrs. L. R. Summers

WITNESSED TO MARK:

(Must be Two Witnesses.) _____

_____

Subscribed and sworn to before me this 16 *day of* November *1903.*

(SEAL) J. G. Reeder *Notary Public.*

Before Dew M. Wisdom, U.S. Indian Agent, Union Agency,
Ind. Ter.

Muskogee, I.T. Feby. 8, 1895

B.B.Askew et al
vs
Choctaw Nation

Claim to citizenship

OPINION.

In this cause, on October 12, 1886, the petitioners all claim that they are Choctaw Indians by blood, being direct descendants of Aaron Askew a half-breed Choctaw, said petition was rejected by the Choctaw Counsel on account of there not being sufficiency od proof to sustain it; and on November 27, 1887 the petitioners appealed, from the decision of the Choctaw Counsel, to this Agency.

It appears fromthe proof in the case that a white man by the name of Askew married a Choctaw Indian woman of the name of Frazier, and that Aaron Askew was the child of said marriage, and that he was a half Choctaw Indian.

Second, it appears that Aaron Askew was the father of Moses Askew and Merrell Askew.

Third, it appears that Moses Askew has no heirs living, and that the claimants are the children of Merrell Askew.

It appears from the evidence of C. H. Frazier, filed in this case, that Bayless Askew (the petitioner) is a relative of said Frazier who is a Choctaw Indian by blood. It also appears from the evidence of W.T.McDonald and John Best, Choctaw Indians of Helden, I.T., that Aaron Askew was the father of Moses Askew and Merrell Askew (the father of B.B.Askew), and that Aron Askew was a half-breed Choctaw Indian, and that Merrell Askew was one forth Indian blood, and according to the evidance of Best and McDonald, intermarried with Fraziers.

There is also a certificate, filed with the evidence, signed by W.H.Bigham and two other Chickasaw Citizens who state that J.O.Best is a man of unquestioned integrity, pure character, and entirely reliable and trustworthy.

The evidence of R.W.Officer, D.A.Trobaugh and G.W.Carr are all to the effect that Aaron Askew, the grandfather of petitioner B.B.Askew, claimed to be an Indian, and such was his reputation in Alabama before he came to the Choctaw Country. This evidence is not conclusive, but is persuasive, and confirms the testimony of Best and McDonald.

I am, therefore, inclined to the opinion, and so decide, that petitioners have proven their Indian blood and are entitled to citizenship in the Choctaw Nation.

Notice of the trial to be had at this Agency was mailed to W.N. Jones, the then Chief of the Choctaw Nation, July 8, 1884, and the trial was set for July 19, 1984, but no evidence on the part of the Choctaw Nation was ever submitted to this Agency further than certain interrogatories propounded to certain witnesses in the case. It would, therefore, seem that the Choctaw Nation was very indifferent as its rights in the matter, and that it was willing that the case might go by default.

The petitioners who are adjudicated by this opinion to be entitled to Choctaw Citizenship are as follows: Aaron Askew and his wife, Lucy, and their children, Daniel, Oscer, Bee and two other monor children. A.M.Askew and wife, Eliza and their children, Murray Lee, Lizzie and other Baby. B.B.Askew and wife, Manie, and their children, Bolden, Shelton and Stella. Tom Askew and Julius Askew, brothers of petitioner. Belle Hendricks (nee Askew) and her husband Jasper Hendricks, and their children, Eddie, Zora, Willie, Ida, and two other minor children. Eliza Alexander (nee Askew) and her husband, James Alexander, and their child, Mattie. Mattie Starrit and husband George Starrit and their children, Frank, Dora McKinzie and her husband, Sam McKenzie.

Respectfully submitted

Dew M.Wisdom, U.S.Indian Agent

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DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Newt Askew, et al., as citizens of the Choctaw Nation.

D E C I S I O N.

It appears from the record herein and from the records in the possession of the Commissioner to the Five Civilized Tribes that application was made to the Commission to the Five Civilized Tribes at Ardmore, Indian Territory, September 23, 1898, by Newt Askew, for the enrollment of himself, his wife, Nancy M. Askew, William H. Askew, Henry B. Askew, Elizabeth V. Askew, Dallas A. Askew and Roxy C. Askew, children of said Newt Askew and Nancy M. Askew, as citizens by blood of the Choctaw Nation; that on April 10, 1900, written application was made for the enrollment of Alpha Marie Hefner as a citizen by blood of the Choctaw Nation; that on April 11, 1902, written application was made for the enrollment of Julius Edward Askew as a citizen by blood of the Choctaw Nation; that on April 25, 1902, written application was made for the enrollment of Nancy Ann Hefner as a citizen by blood of the Choctaw Nation; that application was made by William Q. Askew at Ardmore, Indian Territory, September 22, 1898, for the enrollment of himself and minor children, Mattie Askew, Ellen Askew and Tom Askew as citizens by blood of the Choctaw Nation, and for the enrollment of his wife, Martha Askew, as a citizen by intermarriage of said nation; that application was made by Rebecca Askew at Ardmore, Indian Territory, September 23, 1898, for the enrollment of herself as a citizen by blood of the Choctaw Nation; that application was made by William T. Askew at Ardmore, Indian Territory, September 22, 1898, for the enrollment of himself and minor children, Thane Askew, Perry Askew, Tenny Askew, Lillie Askew, Gilbert Askew and Lizzie Askew as citizens by blood of the Choctaw Nation, and for the enrollment of his wife, Bettie Askew, as a citizen by intermarriage of said nation; that on October 15, 1900, written application was made for the enrollment of Ethel Askew, minor daughter of said William T. Askew and Bettie Askew, as a citizen by blood of the Choctaw Nation; that on August 16, 1902, written application was made for the enrollment of Robert Askew, minor son of the said William T. Askew and Bettie Askew, as a citizen by blood of the Choctaw Nation; that on November 20, 1901, written application was made for the enrollment as a citizen by blood of the Choctaw Nation of Robert Fleg Shipman, minor child of Thane Shipman (nee Askew), by her husband, T. D. Shipman; that application was made by Mary E. Jackson at Ardmore, Indian Territory, September [illegible], 1898,

for the enrollment of herself and her minor children, Taylor F. Jackson, Alma Jackson, Charley Jackson, Roscoe Jackson and Ethel Jackson, as citizens by blood of the Choctaw Nation; that application was made by Mary C. Brewer at Ardmore, Indian Territory, September 23, 1898, for the enrollment of herself and minor children, Emma Brewer and Elmer Brewer, as citizens by blood of the Choctaw Nation; that on December 18, 1899, written application was made for the enrollment of the applicant, Mary B. Brewer, minor daughter of said Mary C. Brewer and C. F. Brewer, as a citizen by blood of the Choctaw Nation; that application was made by George W. Askew at Ardmore, Indian Territory, September 22, 1898, for the enrollment of himself and minor children, Sophia Askew and Alice Askew, as citizens by blood of the Choctaw Nation, and for the enrollment of his wife, Dora Askew, as a citizen by intermarriage of said nation; that application was made by Martha E. Turner at Ardmore, Indian Territory, September 23, 1898, for the enrollment of herself as a citizen by blood of the Choctaw Nation; that application was made by Sam Askew at Ardmore, Indian Territory, September 23, 1898, for the enrollment of himself as a citizen by blood of the Choctaw Nation, and for the enrollment of his wife, Lena Askew, as a citizen by intermarriage of said nation; that on March 20, 1900, written application was made for the enrollment of Frankie Beatrice Askew, minor daughter of Sam Askew and Lena Askew, as a citizen by blood of the Choctaw Nation; that on April 2, 1901, written application was made for the enrollment of Leo Askew, minor son of Sam Askew and Lena Askew, as a citizen by blood of the Choctaw Nation; that application was made by John Askew at Ardmore, Indian Territory, September 23, 1898, for the enrollment of himself as a citizen by blood of the Choctaw Nation.

It further appears from the records in the possession of the Commissioner to the Five Civilized Tribes that the applicants, William Q. Askew, William T. Askew, George W. Askew, Sam Askew, Martha Askew, Mattie Askew, Ellen Askew, Tom Askew, Bettie Askew, Thane Askew, Perry Askew, Tommy Askew, Lillie Askew, Gilbert Askew, Lizzie Askew, Dora Askew and Sophia Askew were applicants to the Commission to the Five Civilized Tribes for admission to citizenship in the Choctaw Nation under the provisions of the Act of Congress approved June 10, 1896 (29 Stats., 321); that they were denied such admission by a decision of the Commission of December 1, 1896 (1896 Choctaw Citizenship Case No. 1); that from this decision an appeal was taken to the United States Court for the Southern District of Indian Territory, which Court on December 21, 1897, in the case entitled "William Q. Askew, et al., vs. Choctaw Nation", rendered a judgment reversing the decision of the Commission to the Five Civilized Tribes as to the applicants, and admitted all of said applicants to citizenship in the Choctaw Nation, except Martha Askew, Bettie Askew and Dora Askew. On March 12, 1898, said Court rendered a supplemental decision in said case, admitting said Martha Askew, Bettie Askew and Dora Askew to citizenship in the Choctaw Nation.

These judgments were subsequently vacated, set aside, and held for naught by a decree of the Choctaw and Chickasaw Citizenship Court on December 17, 1902, in the test case of "Choctaw and Chickasaw Nations, or Tribes, vs. J. T. Riddle, et al."

Said cause was subsequently certified to the Choctaw and Chickasaw Citizenship Court, created by the Act of Congress approved

July 1, 1902 (32 Stats., 641), for a trial de novo, and on September 19, 1904, said Citizenship Court in the case entitled "William Quint Askew, et al., vs. Choctaw and Chickasaw Nations" (Choctaw-Chickasaw Citizenship Court Case No. 2, Tishomingo Docket), rendered a judgment therein, wherein it was "ordered, adjudged and decreed that the petition of the plaintiffs, William Quint Askew, Martha Askew, Mattie Askew, Ellen Askew, Tom Askew, William Thomas Askew, Bettie Askew, Perry Askew, Tommie Askew, or Tommy Askew, Lily Askew or Lillie Askew, Gilbert Askew, Lizzie Askew, Thane Shipman, or Thane Askew, George Washington Askew, Dora Askew, Sophia Askew and Sam Askew be denied, and that they be declared not citizens of the Choctaw Nation and not entitled to enrollment as such citizens and not entitled to any rights whatever flowing therefrom."

It further appears from the records in the possession of the Commissioner to the Five Civilized Tribes that under the provisions of the Act of Congress approved June 10, 1896 (29 Stats., 321), application was made to the Commission to the Five Civilized Tribes for admission to citizenship in the Choctaw Nation of the following named persons: Rebecca Askew, Johnnie Askew, Newton Askew, Nancy Maliney Askew, William Howard Askew, Henry Edward Askew, Elizabeth Viola Askew, Dallas Alexander Askew, Roxie Cordelia Askew, Mrs. May Catherine Brewer, George Brewer, Elma Brewer, Emma Brewer, Mrs. Mary Ellen Jackson, Tom Jackson, Taylor Franklin Jackson, Alner Jackson, Charlie Jackson, Roscoe Jackson, Mrs. Martha Etta Turner, and Marshall A. Turner. All of said applicants were denied admission to citizenship in the Choctaw Nation by a judgment of the Commission on December 1, 1896 (1896 Choctaw Citizenship Case No. 2).

Said cause was subsequently appealed to the United States Court for the Southern District of Indian Territory, which Court on December 21, 1897, reversed the decision of the Commission to the Five Civilized Tribes as to certain of the applicants, and admitted the following as citizens of the Choctaw Nation: John Askew, Newt Askew, William Howard Askew, Henry Edward Askew, Elizabeth Viola Askew, Dallas Alexander Askew, Roxie Cordelia Askew, Mrs. Rebecca Askew, Mrs. Nancy Melinda Askew, Mrs. May Catherine Brewer, Emma Brewer, Elmer Brewer, Mary Ellan Jackson, Taylor Franklin Jackson, Alma Jackson, Charlie Jackson, Roscoe Jackson and Mrs. Martha Etta Turner. In addition thereto the judgment of the Court recited "It further appears that exceptions have been filed to that part of the Master's Report relating to George Brewer, Marshall Turner and Tom Jackson, and it is hereby ordered that this cause stand open as to these three parties, so that said exceptions may be considered hereafter".

Said judgment was subsequently vacated, set aside and held for naught by a decree of the Choctaw and Chickasaw Citizenship Court of December 17, 1902, in the test case of "Choctaw and Chickasaw Nations, or Tribes, vs. J. T. Riddle, et al."

Said cause as to certain of the applicants was subsequently certified to the Choctaw and Chickasaw Citizenship Court, created under the Act of Congress approved July 1, 1902 (32 Stats., 641), for a trial de novo, and on September 19, 1904, in the case entitled "Newt Askew, et al., vs. Choctaw and Chickasaw Nations" (Choctaw-Chickasaw Citizenship Court Case No. 1, Tishomingo Docket), rendered

a judgment therein, wherein it was "ordered, adjudged and decreed that the petition of the plaintiffs, Newt Askew, Nancy Malinda Askew, William Howard Askew, Dallas Alexander Askew, Henry Edward Askew, Roxie Cordelia Carter (nee Askew), or Roxie Cordelia Askew, Jonnie Askew, or John Askew, Mary Catherine Brewer, or May Catherine Brewer, Emma Brewer, Elmer Brewer, Mary Ellen Jackson, Taylor Franklin Jackson, Alma Jackson, Charlie Jackson, Roscoe Jackson, Elizabeth Viola Hefner (nee Askew), or Elizabeth Viola Askew, and Rebecca Askew be denied, and that they be declared not citizens of the Choctaw Nation, and not entitled to enrollment as such citizens and not entitled to any rights whatever flowing therefrom."

On November 12, 1904, the Commission to the Five Civilized Tribes issued orders dismissing the applications for the enrollment of Alpha Marie Hefner, Nancy Ann Hefner, Julius Edward Askew, Mary B. Brewer, Lena Askew, Frankie Beatrice Askew, Lee Askew, Alice Askew, Ethel Askew, Robert Askew, Robert Floy Shipman, and Ethel Jackson, for the reason that the persons through whom they claimed the right to enrollment had been denied citizenship by the Choctaw and Chickasaw Citizenship Court.

On December 3, 1904, the Commission to the Five Civilized Tribes issued an order dismissing the application for the enrollment of Martha L. Turner as a citizen by blood of the Choctaw Nation in accordance with the opinion of the Acting Attorney General dated May 9, 1904 (I.T.D. 3824-1904), and the opinion of the Assistant Attorney General for the Department of the Interior dated July 30, 1904 (I.T.D. 5246-1904).

Under the regulations adopted by the Commissioner to the Five Civilized Tribes January 2, 1906, there was filed on March 14, 1906, by Thomas Norman, attorney for the petitioners, a petition praying for the enrollment of the following persons as citizens of the Choctaw Nation: Newt Askew, Nancy Malinda Askew, John Askew, Dallas Alexander Askew, Carrie Margarette Askew, Roxie Cordelia Carter (nee Askew), Marshall Turner, Mary Ellen Jackson, Tom Jackson, Taylor Jackson, Alma Jackson, Charley Jackson, Roscoe Jackson, Ethel Jackson, Viola Elizabeth Hefner, Joe Hefner, Alpha Marie Hefner, Nancy Ann Hefner, Mary Catherine Brewer, George Brewer, Emma Narcissus Brewer, Elmer Washington Brewer, Mary Belle Brewer, William Howard Askew, Tavia Askew, Julius Edward Askew, Henry Edward Askew, Rebecca Askew, William Quint Askew, Martha Askew, Mattie Askew, Ellen Askew, Tom Askew, William Thomas Askew, Bettie Askew, Perry Askew, Tom Askew, Lillie Askew, Gilbert Askew, Lizzie Askew, Ethel Askew, Robert Askew, Thaney Shipman, Floy Shipman, George Washington Askew, Dora Andefson Askew, Sophia Askew, Alice Askew, Sam Askew, Lena Askew and Lee Askew.

It is alleged in the petition that the petitioners are Choctaw descendants of Choctaw ancestry; that they took up a residence in the Indian Territory between the years 1880 and 1890, and have continued to reside in either the Choctaw or Chickasaw Nation since that time; that they claimed before and after their removal to said nations to be citizens of the Choctaw Nation by virtue of their Choctaw blood and Choctaw descent; that all their kinsfolk on Choctaw Indian side of the family, or a great many of them, are on the roll as citizens of the Choctaw Nation, that they have taken their allotment of lands and drawn their share of moneys thereof,

and that their enrollment has long since been approved by the Secretary of the Interior.

The petitioners further state that among other children, an old half-blood Choctaw Indian, named Aaron Askew, had three children, two boys named Murrill and Tom, and one girl named Elizabeth, or Betty, who married a man named Douglas; that the United States Indian Agent rendered a decision about 1890, which was approved by the Choctaw Council, in which he adjudged the children of Murrill Askew to be citizens of the Choctaw Nation, all of whom are now on the approved roll of Choctaws; that in 1896 the Commission to the Five Civilized Tribes rendered a decision that the children of Elizabeth Douglas were citizens of the Choctaw Nation, and from this decision no appeal was taken; that all of said children are on the approved Choctaw rolls; that the petitioners herein are the legitimate descendants of the other brother named Tom Askew, and that they as well as the descendants of the said Murrill Askew and Elizabeth Douglas (nee Askew) are citizens of said nation.

On July 19, 1906, written applications were made to the Commissioner to the Five Civilized Tribes for the enrollment of the following persons as citizens by blood of the Choctaw Nation, under the provisions of the Act of Congress approved April 26, 1906 (34 Stats., 137): Carl Hefner, born February 23, 1906, minor child of Joe H. Hefner and Viola Hefner; Perry C. Askew, born June 4, 1903, minor child of George W. Askew and Dora A. Askew; Oscar G. Askew, born December 22, 1902, and Vernic Askew, born July 11, 1905, minor children of Dallas A. Askew and Carrie M. Askew; Violet Askew, born September 25, 1904, minor child of William H. Askew and Octavia W. Askew; Arthur W. Carter, born January 16, 1904, minor son of Charles Carter and Roxy C. Carter; and Roy Shipman, born August 12, 1905, minor child of Tom Shipman and Thanie Shipman. April 26, 1906, written application was made for the enrollment of Vera Shipman, born September 29, 1903, minor child of Thanie Shipman and T. D. Shipman, as a citizen by blood of the Choctaw Nation.

It does not appear from the records in the possession of the Commissioner to the Five Civilized Tribes that any of the applicants has ever been recognized or enrolled as a citizen of the Choctaw Nation by any duly constituted authority.

The names of none of said applicants appear upon any of the tribal rolls of the Choctaw Nation in the possession of the Commissioner to the Five Civilized Tribes.

I am of the opinion that inasmuch as it does not appear from the record herein or from the records in the possession of this office that any of the applicants who applied to the Commission to the Five Civilized Tribes in 1896 possessed any tribal status as citizens of the Choctaw Nation, said Commission had jurisdiction to pass upon their rights as citizens of said nation, and I am without authority to take any action looking to their enrollment as citizens of said nation, and that the petition in so far as it relates to said applicants should be dismissed, and it is so ordered.

I am further of the opinion that as to those persons whose applications were dismissed for the reason that they failed to appeal to the Choctaw and Chickasaw Citizenship Court, or for the reason that their parents had been denied by a decree of said court, said dismissals should be affirmed, and the petition in so far as it relates to said applicants should be dismissed, and it is so ordered.

4.

I am further of the opinion that the applications for the enrollment of Carl Hafner, Perry Q. Askew, Oscar C. Askew, Vernie Askew, Violet Askew, Arthur W. Carter, Roy Shipman, and Vera Shipman as citizens by blood of the Choctaw Nation should be denied, under the provisions of the Act of Congress approved April 26, 1906 (34 Stats., 137), and it is so ordered.

Commissioner.

Muskogee, Indian Territory,

OCT 23 1906.

7-8208

COPY.

Muskogee, Indian Territory, October 23, 1906.

Henry Askew,

Willis, Indian Territory,

Dear Sir:

You are hereby notified that the Commissioner to the Five Civilized Tribes, on October 23, 1906, rendered his decision dismissing the application and petition for the enrollment of yourself, your wife, Nancy M. Askew, and your son, Henry R. Askew, as citizens of the Choctaw Nation.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED Tams Bixby

Commissioner.

Registered.

7-5200

Muskogee, Indian Territory, October 23, 1906.

William H. Askew,

Willis, Indian Territory,

Dear Sir:

You are hereby notified that the Commissioner to the Five Civilized Tribes, on October 23, 1906, rendered his decision, dismissing the applications and petition for the enrollment of yourself, and Julius Edward Askew as citizens by blood of the Choctaw Nation, and denying the application for the enrollment of Violet Askew as a citizen by blood of said nation, under the provisions of the Act of Congress approved April 26, 1906.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Tams Bixby

Registered.

Commissioner.

7-5200

Muskogee, Indian Territory, October 23, 1906.

COPY.

Elizabeth V. Hefner,

Willis, Indian Territory,

Dear Madam:

You are hereby notified that the Commissioner to the Five Civilized Tribes, on October 23, 1906, rendered his decision, dismissing the applications and petition for the enrollment of Elizabeth V. Askew, Alpha Marie Hefner and Nancy Ann Hefner as citizens by blood of the Choctaw Nation, and denying the application for the enrollment of Carl Hefner as a citizen by blood of said nation, under the provisions of the Act of Congress approved April 26, 1906.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Tams

Registered.

Commissioner.

T-5200

Muskogee, Indian Territory, October 23, 1906.

COPY.

Dallas A. Askew,

Willis, Indian Territory,

Dear Sir:

You are hereby notified that the Commissioner to the Five Civilized Tribes, on October 23, 1906, rendered his decision, dismissing the application and petition for your enrollment as a citizen by blood of the Choctaw Nation, and denying the applications for the enrollment of Oscar G. Askew and Vernie Askew as citizens by blood of said nation, under the provisions of the Act of Congress approved April 26, 1906.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED Tams Bixby
Commissioner.

Registered.

7-5800

Muskogee, Indian Territory, October 23, 1906.

COPY

Roxy C. Carter,

Willis, Indian Territory,

Dear Madam:

You are hereby notified that the Commissioner to the Five Civilized Tribes, on October 23, 1906, rendered his decision, dismissing the application and petition for the enrollment of Roxy C. Askew as a citizen by blood of the Choctaw Nation, and denying the application for the enrollment of Arthur W. Carter as a citizen by blood of said nation, under the provisions of the Act of Congress approved April 26, 1906.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Tams Bixby

Registered. Commissioner.

7-5073

Muskogee, Indian Territory, October 23, 1906.

COPY

William Q. Askew,

Calvin, Indian Territory,

Dear Sir:

You are hereby notified that the Commissioner to the Five Civilized Tribes, on October 23, 1906, rendered his decision, dismissing the applications and petition for the enrollment of yourself, Mattie Askew, Ellen Askew and Tom Askew as citizens by blood, and for the enrollment of your wife, Martha Askew, as a citizen by intermarriage, of the Choctaw Nation.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Tams Bixby

Commissioner.

Registered.

7-5197.

Muskogee, Indian Territory, October 23, 1906.

Rebecca Askew,

Powell, Indian Territory,

Dear Madam:

You are hereby notified that the Commissioner to the Five Civilized Tribes, on October 23, 190 , rendered his decision, dismissing the application and petition for your enrollment as a citizen by blood of the Choctaw Nation.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED Tams Bixby

Commissioner.

Registered.

7-6106

Muskogee, Indian Territory, October 23, 1906.

William T. Askew,

Folsom, Indian Territory,

Dear Sir:

You are hereby notified that the Commissioner to the Five Civilized Tribes, on October 23, 1906, rendered his decision, dismissing the applications and petition for the enrollment of yourself, Perry Askew, Tommy Askew, Lillie Askew, Gilbert Askew, Lizzie Askew, Ethel Askew and Robert Askew, as citizens by blood, and for the enrollment of your wife, Nettie Askew as a citizen by intermarriage, of the Choctaw Nation.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Tams Bixby

Commissioner.

Registered.

7-5106

Muskogee, Indian Territory, October 23, 1906.

COPY.

Thane Shipman,

Nelson, Indian Territory,

Dear Madam:

You are hereby notified that the Commissioner to the Five Civilized Tribes, on October 23, 1906, rendered his decision, dismissing the application and petition for the enrollment of yourself and Robert Fley Shipman as citizens by blood of the Choctaw Nation, and denying the application for the enrollment of Vera Shipman and Roy Shipman as citizens by blood of said nation under the provisions of the Act of Congress approved April 26, 1906.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Registered.

SIGNED Tams Bixby
Commissioner.

7-5196

Muskogee, Indian Territory, October 23, 1906.

COPY.

Mary E. Jackson,

Willis, Indian Territory.

Dear Madam:

You are hereby notified t at the Commissioner to the Five Civilized Tribes, on October 23, 1906, rendered his decision, dismissing the applications and petition for the enrollment of yourself, Taylor F. Jackson, Alma Jackson, Charley Jackson, Rosece Jackson, and Ethel Jackson, as citizens by blood of the Choctaw Nation.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED Tams Bixby
Commissioner.

Registered.

7-5122

Muskogee, Indian Territory, October 23, 1906

COPY.

Mary C. Brewer,

Powell, Indian Territory.

Dear Madam:

You are hereby notified that the Commissioner to the Five Civilized Tribes, on October 23, 1906, rendered his decision, dismissing the applications and petition for the enrollment of Mary C. Brewer, Emma Brewer, Elmer Brewer and Mary B. Brewer, as citizens by blood of the Choctaw Nation.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Tams Bixby

Commissioner.

Registered.

7-2774

Muskogee, Indian Territory, October 23, 1906.

COPY

George W. Askew,

Calvin, Indian Territory.

Dear Sir:

You are hereby notified that the Commissioner to the Five Civilized Tribes, on October 23, 1906, rendered his decision, dismissing the applications and petition for the enrollment of yourself, Sophia Askew and Alice Askew, as citizens by blood ; and the enrollment of Dora Askew, as a citizen by intermarriage, of the Choctaw Nation, and denying the application for the enrollment of Perry Q. Askew as a citizen by blood of the Choctaw Nation, under the provisions of the Act of Congress approved April 26, 1906.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Tams Bixby

Commissioner.

Registered.

7-5125

Muskogee, Indian Territory, October 23, 1906.

Martha E. Turner,

Lebanon, Indian Territory.

Dear Ma'am:

You are hereby notified that the Commissioner to the Five Civilized Tribes, on October 23, 1906, rendered his decision, dismissing the application and petition for your enrollment as a citizen by blood of the Choctaw Nation.

The decision, with the record of proceedings in the case is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED Tams Bixby
Commissioner.

Registered.

7-3224

Muskogee, Indian Territory, October 23, 1906.

Sam Askew,

Knox, Indian Territory.

Dear Sir:

You are hereby notified that the Commissioner to the Five Civilized Tribes, on October 23, 1906, rendered his decision, dismissing the applications and petition for the enrollment of yourself, Frankie Beatrice Askew and Leo Askew, as citizens by blood, and Lena Askew as a citizen by intermarriage, of the Choctaw Nation.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as it is office is informed of the same.

Respectfully,

Tams Bixby

Commissioner.

Registered.

T-6801

Muskogee, Indian Territory, October 23, 1906.

John Askew,

Powell, Indian Territory.

Dear Sir:

You are hereby notified that the Commissioner to the Five Civilized Tribes, on October 23, 1906, rendered his decision, dismissing the application and petition for your enrollment as a citizen by blood of the Choctaw Nation.

The decision, with the record of proceedings in the case, is t is day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Tams Bixby
Commissioner.

Registered.

C-108
7-1890 et al

Muskogee, Indian Territory, October 23, 1906.

COPY.

Thomas Norman,

Attorney at Law,

Ardmore, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered October 23, 1906, dismissing the application and petition for the enrollment of Newt Askew, Nancy M: Askew, Henry E. Askew, William T. Askew, Elizabeth V. Askew, Dallas A. Askew, Roxy C. Askew, Alpha Marie Hefner, Julius Edward Askew, Nancy Ann Hefner, William C. Askew, Mattie Askew, Ellen Askew, Tom Askew, Rebecca Askew, William T. Askew, Thane Askew, Perry Askew, Tommy Askew, Lillie Askew, Gilbert Askew, Lizzie Askew, Ethel Askew, Robert Floy Shipman, Robert Askew, Mary E. Jackson, Taylor F. Jackson, Alma Jackson, Charley Jackson, Rosece Jackson, Ethel Jackson, Mary C. Brewer, Emma Brewer, Elmer Brewer, Mary B. Brewer, George W. Askew, Sophia Askew, Alice Askew, Martha E. Turner, Sam Askew, Frankie Beatrice Askew, Leo Askew and John Askew, as citizens by blood of the Choctaw Nation, and the application and petition for the enrollment of Martha Askew, Bettie Askew, Lena Askew and Dora Askew as citizens by intermarriage of said nation, and denying the application for the enrollment of Carl Hefner, Perry

V

T. N. - - #2.

C. Askew, Oscar C. Askew, Vernie Askew, Violet Askew, Arthur E. Garvin, Roy Shipman, and Vera Shipman as citizens by blood of the Chickasaw Nation, under the provisions of the Act of Congress approved April 26, 1906.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED Tams Bixby
Commissioner.

Registered.

Inel. C-105--7-5200 et al.

C-103
7-8200 et al

Muskogee, Indian Territory, October 23, 1906.

COPY.

Cruce, Cruce and Bleakmore,

Attorneys at Law,

Ardmore, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered October 23, 1906, dismissing the applications and petition for the enrollment of Newt Askew, Nancy W. Askew, Henry E. Askew, William H. Askew, Elizabeth V. Askew, Dallas A. Askew, Roxy C. Askew, Alpha Marie Hefner, Julius Edward Askew, Nancy Ann Hefner, William T. Askew, Mattie Askew, Ellen Askew, Tom Askew, Rebecca Askew, William T. Askew, Thane Askew, Perry Askew, Tommy Askew, Lillie Askew, Gilbert Askew, Lizzie Askew, Ethel Askew, Robert Floy Chipman, Robert Askew, [illegible] Mary E. Jackson, Taylor F. Jackson, Alma Jackson, Charley Jackson, Reecee Jackson, Ethel Jackson, Mary C. Brewer, Emma Brewer, Elmer Brewer, Mary E. Brewer, George W. Askew, Sophia Askew, Alice Askew, Martha E. Turner, Sam Askew, Frankie Beatrice Askew, Leo Askew, and John Askew, as citizens by blood of the Choctaw Nation, and the applications and petition for the enrollment of Martha Askew, Bettie Askew, Lena Askew, and Dora Askew, as citizens by intermarriage of said nation, and denying the application for the enrollment of Carl

C. C. A B. - - 92.

Hefner, Perry Q. Askew, Oscar G. Askew, Vernie Askew, Violet Askew, Arthur W. Carter, Roy Shipman and Vera Shipman as citizens by blood of the Choctaw Nation, under the provisions of the Act of Congress approved April 26, 1906 .

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Tams Bixby
Commissioner.

Registered.

Incl. C-105-- 7-5230 et al.

C-105

7-3800 et al

Muskogee, Indian Territory, October 23, 1906.

COPY.

Chester Howe,

Washington Loan and Trust Building,

Washington, D. C.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered October 23, 1906, dismissing the applications and petition for the enrollment of Newt Askew, Nancy W. Askew, Henry L. Askew, William H. Askew, Elizabeth V. Askew, Dallas A. Askew, Roxy C. Askew, Alpha Marie Hefner, Julius Edward Askew, Nancy Ann Hefner, William C. Askew, Mattie Askew, Ellen Askew, Tom Askew, Rebecca Askew, William T. Askew, Thane Askew, Perry Askew, Tommy Askew, Lillie Askew, Gilbert Askew, Lizzie Askew, Ethel Askew, Robert Fley Shipman, Robert Askew, Mary B. Jackson, Tayler F. Jackson, Alma Jackson, Charley Jackson, Roscoe Jackson, Ethel Jackson, Mary C. Brewer, Emma Brewer, Elmer Brewer, Mary B. Brewer, George W. Askew, Sophia Askew, Alice Askew, Martha E. Turner, Sam Askew, Frankie Beatrice Askew, Lee Askew and John Askew, as citizens by blood of the Choctaw Nation, and the applications and petition for the enrollment of Martha Askew, Bettie Askew, Lena Askew and Dora Askew as citizens by intermarriage of said nation, and denying the application for the enrollment of Carl Hefner, Perry

C. E. ~ - 28.

Q. Askew, Oscar S. Askew, Vernie Askew, Violet Askew, Arthur W. Carter, Roy Shipman and Vera Shipman, as citizens by blood of the Choctaw Nation, under the provisions of the Act of Congress approved April 26, 1906.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretaryeof the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Tams Bixby
Commissioner.

Registered.

Incl. C-105--7-5200 et al.

C-108

7-8900 et al

Muskogee, Indian Territory, October 23, 1906.

COPY.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

[redacted]th McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered October 23, 1906, dismissing the applications and petition for the enrollment of Newt Askew, Nancy M. Askew, Henry E. Askew, William H. Askew, Elizabeth V. Askew, Dallas A. Askew, Roxy C. Askew, Alpha Marie AHefner, Julius Edward Askew, Nancy Ann Hefner, William Q. Askew, Mattie Askew, Ellen Askew, Tom Askew, Rebecca Askew, William T. Askew, Thane Askew, Perry Askew, Tommy Askew, Lillie Askew, Gilbert Askew, Lizzie Askew, Ethel Askew, Robert Floy Shipman, Robert Askew, Mary E. Jackson, Taylor F. Jackson, Alma Jackson, Charley Jackson, Rosece Jackson, Ethel Jackson, Mary C. Brewer, Emma Brewer, Elmer Brewer, Mary B. Brewer, George W. Askew, Sophia Askew, Alice Askew, Martha E. Turner, Sam Askew, Frankie Beatrice Askew, Lee Askew, and John Askew, as citizens by blood of the Choctaw Nation, and the applications and petition for the enrollment of Martha Askew, Bettie Askew, Lena Askew and Dora Askew as citizens by intermarriage of said nation, and denying the application for the enrollment of Carl Hefner, Perry

M. M. & C. - - #2.

G. Askew, Oscar S. Askew, Vernie Askew, Violet Askew, Arthur W. Carter, Roy Shipman, and Vera Shipman as citizens by blood of the Choctaw Nation, under the provisions of the Act of Congress approved April 26, 1906.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED Tams Bixby
Commissioner.

Registered.

Incl. C-105--7-5200 et al.

COPY.

Muskogee, Indian Territory, October 24, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to transmit herewith the record before the Commission to the Five Civilized Tribes and its successor in the matter of the application for the enrollment of Newt Askew, et al., as citizens of the Choctaw Nation, with my decision of October 23, 1906, denying a petition filed with this office by Thomas Norman, attorney at law, Ardmore, Indian Territory, on March 14, 1906, praying for the enrollment of Newt Askew, et al., as citizens of the Choctaw Nation.

This petition was filed under the opinion of the Assistant Attorney General for the Department of the Interior of December 8, 1905 (I.T.D. 3693-1905), in the Leola West case.

The majority of the persons named in the petition submitted by Mr. Norman were denied citizenship in the Choctaw Nation by decrees of the Choctaw and Chickasaw Citizenship Court.

While it is not claimed that the petitioners in question were ever recognized and enrolled by the tribal authorities as citizens of the Choctaw Nation, it is insisted that they are entitled to enrollment by reason of the fact that certain of their co-relatives

have been duly enrolled as citizens of the Choctaw Nation.

I also enclose for the consideration of the Department in connection with the contention of the petitioners, a brief filed with this office on October 1, 1906, by Thomas Norman, Cruce, Cruce & Bleakmore and Chester Howe, attorneys for the petitioners.

This case was the subject of my report of January 15, 1906, to the Department and of Departmental letter of March 12, 1906 (I.T. D. 4088-1906).

There is also enclosed herewith the original petition directed to the President of the United States and the Secretary of the Interior, which was originally filed with the Department June 20, 1905. The case was also the subject of Departmental letter of October 15, 1906 (I.T.D. 18778-1906), enclosing for report a letter of Chester Howe, attorney at law, Washington, D. C., dated October 10, 1906, and addressed to the Department, requesting that the Commissioner to the Five Civilized Tribes be directed to pass upon the case at the earliest practicable date, to the end that a final decision may be secured upon the questions raised.

I have the honor to further report that the principal petitioners have been advised of the action taken by me on October 23, 1906, and that their attorneys and the attorneys for the Choctaw and Chickasaw Nations have been furnished with a copy of my decision of that date.

Respectfully,

SIGNED Tams Bixby.

Commissioner.

Through the Commissioner of Indian Affairs.

WP 2b-3

S.F.

DEPARTMENT OF THE INTERIOR,

WASHINGTON.

D.C. 13029-1907.
I.T.D. 7656-1907.

March 4, 1907.

L.R.S.

DIRECT.

Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:

On March 1, 1907 (Land 94456-06), the Indian Office transmitted your report, dated October 24, 1906, together with the record of proceedings before the Commission to the Five Civilized Tribes and yourself in the matter of the application for the enrollment of Newt Askew, et al., together with your decision of October 23, 1906, denying a petition filed by the attorneys for the applicants praying for the enrollment of said Newt Askew, et al., as citizens of the Choctaw Nation.

The Indian Office concurs in your decision. A copy of its letter is inclosed.

In view of the opinion of the Attorney General of the United States, dated February 19, 1907, in the cases of Myrtle Ramdolph and W. J. Thompson, it appears that your decision was correct and it is hereby affirmed.

The papers in the case, together with a carbon copy hereof, have been sent to the Indian Office.

Respectfully,
(Signed) E. A. Hitchcock,
Secretary.

1 inc. and
5 to Ind. Of.

W.C.F. 3/4/07.

Refer in Reply
to the following:

Land.
94456-1906.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON. March 1, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to invite your attention to the enclosed letter of October 24, 1906, from Tams Bixby, Commissioner to the Five Civilized Tribes, who transmits the record in the matter of the application for the enrollment of Newt Ashew et al. as citizens of the Choctaw Nation, with his decision of October 23, 1906, denying a petition filed in his office by Thomas Norman, an attorney of Ardmore, Indian Territory, on March 14, 1906, praying for the enrollment of the parties. The petition of Mr. Norman was filed in view of the opinion of the Assistant Attorney General for the Department of the Interior of December 8, 1905 (I.T.D. 3693-1905), in the Loula West case. The Commissioner in his decision of October 23, 1906, found that it does not appear from the records in his possession that any of the applicants has ever been recognized or enrolled as a citizen of the Choctaw Nation by a duly constituted authority; that the names of none of the applicants appear on any of the tribal rolls of the nation in his possession; that he was of opinion that inasmuch as it does not appear from the record in the case or from the records in his possession that any of the applicants who applied to the Commission to the Five Civilized Tribes in 1896 possessed any tribal status as citizens of the

Choctaw Nation, the Commission had jurisdiction to pass on their rights as citizens of the nation and that he was accordingly without authority to take any action looking to their enrollment as citizens of the nation, and that the petition, in so far as it relates to the applicants, should be dismissed, and he so ordered.

He was further of opinion that as to those persons whose applications were dismissed for the reason that they failed to appeal to the Choctaw-Chickasaw Citizenship Court, or for the reason that their parents had been denied by decree of that court, the dismissals should be affirmed, and the petition, so far as it relates to the applicants, should be dismissed, and so ordered.

In view of the opinion of the Attorney General of the United States of February 19, 1907, wherein he discussed the cases of Myrtle Randolph and W. J. Thompson, her brother, as well as the case of Lowla West, and in which he held that the parties who were the subject of his discussion were not entitled to enrollment, and as the principle laid down must also control in this case, it is evident that the decision of the Commissioner herein should be approved, and it is so recommended.

Very respectfully,

C. F. Larrabee,

Acting Commissioner.

KBH-Y.

T-5200

Muskogee, Indian Territory, April 22, 1907.

Newt Askew,

Willis, Indian Territory.

Dear Sir:

You are hereby advised that on March 4, 1907, the Secretary of the Interior affirmed the decision of this office of October 23, 1906, dismissing the application and petition for the enrollment of yourself, your wife, Nancy M. Askew, and your son, Henry E. Askew, as citizens of the Choctaw Nation.

Respectfully,

Commissioner.

7-5200

Muskogee, Indian Territory, April 22, 1907.

[redacted]illiam H. Askew,

[redacted]illis, Indian Territory.

Dear Sir:

You are hereby advised that on March 4, 1907, the Secretary of the Interior affirmed the decision of this office of October 23, 1906, dismissing the applications and petition for the enrollment of yourself, and Julius Edward Askew as citizens by blood of the Choctaw Nation, and denying the application for the enrollment of Violet Askew as a citizen by blood of [redacted] nation, under the provisions of the Act of Congress approved April 26, 1906.

Respectfully,

Commissioner.

7-5200

Muskogee, Indian Territory, April 22, 1907.

Elizabeth V. Hefner,

Willis, Indian Territory.

Dear Madam:

You are hereby advised that on March 4, 1907, the Secretary of the Interior affirmed the decision of this office of October 23, 1906, dismissing the applications and petition for the enrollment of Elizabeth V. Askew, Alpha Marie Hefner and Nancy Ann Hefner as citizens by blood of the Choctaw Nation, and denying the application for the enrollment of Carl Hefner as a citizen by blood of said nation, under the provisions of the Act of Congress approved April 26, 1906.

Respectfully,

Commissioner.

7-5200

Muskogee, Indian Territory, April 22, 1907.

Dallas A. Askew,

Willis, Indian Territory.

Dear Sir:

You are hereby advised that on March 4, 1907, the Secretary of the Interior affirmed the decision of this office of October 23, 1906, dismissing the application and petition for your enrollment as a citizen by blood of the Choctaw Nation, and denying the applications for the enrollment of Oscar C. Askew and Vernie Askew as citizens by blood of said nation, under the provisions of the Act of Congress approved April 26, 1906.

Respectfully,

Commissioner.

7-8200

Muskogee, Indian Territory, April 22, 1907.

Roxy C. Carter,

Willis, Indian Territory.

Dear Mad[redacted]:

You are hereby advised that on March 4, 1907, the Secretary of the Interior affirmed the decision of this office of October 23, 1906, dismissing the application and petition for the enrollment of Roxy C. Askew as a citizen by blood of the Choctaw Nation, and denying the application for the enrollment of Arthur W. Carter as a citizen by blood of said nation, under the provisions of the Act of Congress approved April 26, 1906.

Respectfully,

Commissioner.

Y-8909

Muskogee, IndianTerritory, April 22, 1907.

William Q. Askew,

Calvin, Indian Territory.

Dear Sir:

You are hereby advised that on March 4, 1907, the Secretary of the Interior affirmed the decision of this office of October 23, 1906, dismissing the applications and petition for the enrollment of yourself, Mattie Askew, Ellen Askew and Tom Askew as citizens by blood, and for the enrollment of your wife, Martha Askew, as a citizen by intermarriage, of the Choctaw Nation.

Respectfully,

Commissioner.

7-6107

Muskogee, Indian Territory, April 23, 1907.

Rebecca Askew,

Powell, Indian Territory.

Dear Madam:

You are hereby advised that on March 4, 1907, the Secretary of the Interior affirmed the decision of this office of October 23, 1906, dismissing the application and petition for your enrollment as a citizen by blood of the Cheetaw Nation.

Respectfully,

Commissioner.

Muskogee, Indian Territory, April 25, 1907.

William T. Askew,

Dolsom, Indian Territory.

Dear Sir:

You are hereby advised that on March 4, 1907, the Secretary of the Interior affirmed the decision of this office of October 23, 1906, dismissing the applications and petition for the enrollment of yourself, Perry Askew, Tommy Askew, Lillie Askew, Gilbert Askew, Lizzie Askew, Ethel Askew and Robert Askew, as citizens by blood, and for the enrollment of your wife, Bettie Askew as a citizen by intermarriage of the Choctaw Nation.

Respectfully,

Commissioner.

7-2106

Muskogee, Indian Territory, April 8, 1907.

Thane Shipman,

Folsom, Indian Territory.

Dear Madam:

You are hereby advised that on March 4, 1907, the Secretary of the Interior affirmed the decision of this office of October 25, 1906, dismissing the application and petition for the enrollment of yourself and Robert Vieg Shipman as citizens by blood of the Choctaw Nation, and denying the application for the enrollment of Vera Shipman and Roy Shipman as citizens by blood of said nation under the provisions of the Act of Congress approved April 26, 1906.

Respectfully,

Commissioner.

9-2196

Muskogee, Indian Territory, April 8th, 1907.

Mary E. Jackson,

Willis, Indian Territory.

Dear Madam:

You are hereby advised that on March 4, 1907, the Secretary of the Interior affirmed the decision of this office of October 23, 1906, dismissing the applications and petition for the enrollment of yourself, Taylor F. Jackson, Alma Jackson, Charley Jackson, Roscoe Jackson, and Ethel Jackson, as citizens by blood of the Choctaw Nation.

Respectfully,

Commissioner.

9-2122

Muskogee, Indian Territory, April 29, 1907.

Mary C. Brewer,

Powell, Indian Territory.

Dear Madam:

You are hereby advised that on March 4, 1907, the Secretary of the Interior affirmed the decision of this office of October 23, 1906, dismissing the applications and petition for the enrollment of Mary C. Brewer, [redacted], and Mary B. Brewer, as citizens by blood of the Choctaw Nation.

Respectfully,

Commissioner.

7-5074

Muskogee, Indian territory, April 22, 1907.

George W. Askew,

Calvin, Indian Territory.

Dear Sir:

You are hereby advised that on March 4, 1907, the Secretary of the Interior affirmed the decision of this office of October 23, 1906, dismissing the applications and petition for the enrollment of yourself, Sophia Askew and Alice Askew, as citizens by blood, and the enrollment of Dora Askew, as a citizen by intermarriage of the Choctaw Nation, and denying the application for the enrollment of Perry Q. Askew as a citizen by blood of the Choctaw Nation, under the provisions of the Act of Congress approved April 26, 1906.

Respectfully,

Commissioner.

7-5123

Muskogee, Indian Territory, April 22, 1907.

Martha E. Turner,

Lebanon, Indian Territory.

Dear Madam:

You are hereby advised that on March 4, 1907, the Secretary of the Interior affirmed the decision of this office of October 23, 1906, dismissing the application and petition for your enrollment as a citizen by blood of the Choctaw Nation.

Respectfully,

Commissioner.

I-6214

Muskogee, Indian Territory, April 22, 1907.

Sam Askew,

Knox, Indian Territory.

Dear Sir:

You are hereby advised that on March 4, 1907, the Secretary of the Interior affirmed the decision of this office of October 23, 1906, dismissing the applications and petition for the enrollment of yourself, Frankie Beatrice Askew and Leo Askew, as citizens by blood, and Lena Askew as a citizen by intermarriage of the Choctaw Nation.

Respectfully,

Commissioner.

#-5201

Muskogee, Indian Territory, April 22, 1907.

John Askew,

Powell, Indian Territory.

Dear Sir:

You are hereby advised that on March 4, 1907, the Secretary of the Interior affirmed the decision of this office of October 23, 1906, dismissing the application and petition for your enrollment as a citizen by blood of the Choctaw Nation.

Respectfully,

Commissioner.

C-108
7-5200 et al.

Muskogee, Indian Territory, April 22, 1907.

Thomas Norman,

Attorney at Law,

Ardmore, Indian Territory.

Dear Sir:

You are hereby advised that on March 4, 1907, the Secretary of the Interior affirmed the decision of this office of October 23, 1906, dismissing the application and petition for the enrollment of Newt Askew, Nancy E. Askew, Henry E. Askew, William H. Askew, Elizabeth V. Askew, Dallas A. Askew, Roxy C. Askew, Alpha Marie Hefner, Julius Edward Askew, Nancy Ann Hefner, William Q. Askew, Mattie Askew, Ellen Askew, Tom Askew, Rebecca Askew, William T. Askew, Thane Askew, Perry Askew, Tommy Askew, Lillie Askew, Gilbert Askew, Lizzie Askew, Ethel Askew, Robert Wiley Shipman, Robert Askew, Mary E. Jackson, Tayler F. Jackson, Alma Jackson, Charley Jackson, Roscoe Jackson, Ethel Jackson, Mary C. Brewer, Emma Brewer, Elmer Brewer, Mary E. Brewer, George W. Askew, Sophia Askew, Aslice Askew, Martha E. Spencer, Sam Askew, Frankie Beatrice Askew, Lee Askew and John Askew, as citizens by blood of the Choctaw Nation, and the application

T. M.

and petition for the enrollment of Martha Askew, Bettie Askew, Lena Askew and Dora Askew as citizens by intermarriage of said nation, and denying the application for the enrollment of Carl Hefner, Perry Q. Askew, Oscar S. Askew, Vernie Askew, Violet Askew, Arthur W. Carter, Roy Shipman, and Vera Shipman as citizens by blood of the Choctaw Nation, under the provisions of the Act of Congress approved April 26, 1906.

Respectfully,

Commissioner.

C-103
7-5200 et al.

Muskogee, Indian Territory, April 22, 1907.

Cruce, Cruce and Bleakmore,

Attorneys at Law,

Ardmore, Indian Territory.

Gentlemen:

You are hereby advised that on March 4, 1907, the Secretary of the Interior affirmed the decision of this office of October 23, 1906, dismissing the applications and petition for the enrollment of Newt Askew, Nancy M. Askew, Henry E. Askew, William H. Askew, Elizabeth V. Askew, Dallas A. Askew, Rexy C. Askew, Alpha Marie Hefner, Julius Edward Askew, Nancy Ann Hefner, William Q. Askew, Mattie Askew, Ellen Askew, Tom Askew, Rebecca Askew, William T. Askew, Thane Askew, Perry Askew, Tommy Askew, Lillie Askew, Gilbert Askew, Lizzie Askew, Ethel Askew, Robert Floy Shipman, Robert Askew, Mary E. Jackson, Taylor H. Jackson, Alma Jackson, Charley Jackson, Roscoe Jackson, Ethel Jackson, Mary C. Brewer, Emma Brewer, Elmer Brewer, Mary E. Brewer, George W. Askew, Sophia Askew, Alice Askew, Martha E. Turner, Sam Askew, Frankie Beatrice Askew, Lee Askew, and John Askew, as citizens by blood of the Choctaw Nation, and the applications

C. C. & B.

and petition for the enrollment of Martha Askew, Nettie Askew, Lena Askew, and Dora Askew, as citizens by intermarriage of said nation, and denying the application for the enrollment of Carl Hefner, Perry Q. Askew, Oscar C. Askew, Vernie Askew, Violet Askew, Arthur W. Carter, Roy Shipman and Vena Shipman as citizens by blood of the Choctaw Nation, under the provisions of the Act of Congress approved April 26, 1906.

Respectfully,

Commissioner.

C-106
7-8200 et al.

Muskogee, Indian Territory, April 22, 1907.

Chester Howe,

Washington Loan and Trust Building,

Washington, D. C.

Dear Sir:

You are hereby advised that on March 4, 1907, the Secretary of the Interior affirmed the decision of this office of October 23, 1906, dismissing the applications and petition for the enrollment of Newt Askew, Nancy M. Askew, Henry E. Askew, William H. Askew, Elizabeth V. Askew, Dallas A. Askew, Roxy C. Askew, Alpha Marie Hefner, Julius Edward Askew, Nancy Ann Hefner, William [redacted]. Askew, Mattie Askew, Ellen Askew, Tom Askew, Rebecca Askew, William T. Askew, Thane Askew, Perry Askew, Tommy Askew, Lillie Askew, Gilbert Askew, Lizzie Askew, Ethel Askew, Robert Fley Shipman, Robert Askew, Mary E. Jackson, Tayler F. Jackson, Alma Jackson, Charley Jackson, Rosco Jackson, Ethel Jackson, Mary C. Brewer, Emma Brewer, Elmer Brewer, Mary B. Brewer, George W. Askew, Sophia Askew, Alice Askew, Martha E. Turner, Sam Askew, Frankie Beatrice Askew, Lee Askew and John Askew, as citizens by blood of the Choctaw Nation, and the applications and petition for the enrollment of Martha Askew, Bettie Askew,

C. H.

Lena Askew, and Dora Askew as citizens by intermarriage of said nation, and denying the application for the enrollment of Carl Hefner, Perry Q. Askew, Oscar G. Askew, Vernie Askew, Violet Askew, Arthur W. Carter, Roy Shipman and Vera Shipman, as citizens by blood of the Choctaw Nation, under the provisions of the Act of Congress approved April 26, 1906.

Respectfully,

Commissioner.

C-102
[illegible] et al.

Muskogee, Indian Territory, April 22, 1907.

Mansfield, McMurray & Cornish,
Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on March 4, 1907, the Secretary of the Interior affirmed the decision of this office of October 23, 1906, dismissing the applications and petition for the enrollment of Newt Askew, Nancy M. Askew, Henry E. Askew, William H. Askew, Elizabeth V. Askew, Dallas A. Askew, Roxy C. Askew, Alpha Marie Hefner, Julius Edward Askew, Nancy Ann Hefner, William Q. Askew, Mattie Askew, Ellen Askew, Tom Askew, Rebecca Askew, William T. Askew, Thane Askew, Perry Askew, Lenny Askew, Lillie Askew, Gilbert Askew, Lizzie Askew, Ethel Askew, Robert Flag Chisum, Robert Askew, Mary E. Jackson, Taylor E. Jackson, Alma Jackson, Charley Jackson, Reece Jackson, Ethel Jackson, Mary C. Brewer, Hugh Brewer, Elmer Brewer, Mary B. Brewer, George W. Askew, Sophia Askew, Alice Askew, Martha E. Turner, Sam Askew, Franklin Pierce Askew, Ben Askew, and John Askew, as citizens by blood of the Choctaw Nation, and the applications and petition for the enrollment of Martha Askew,

M.McM.& C.

Bettie Askew, Lena Askew and Dora Askew as citizens by intermarriage of said nation, and denying the application for the enrollment of Carl Hefner, Perry Q. Askew, Oscar G. Askew, Vernie Askew, Violet Askew, Arthur W. Carter, Ray Shipman, and Vera Shipman as citizens by blood of the Choctaw Nation, under the provisions of the Act of Congress approved April 26, 1906.

Respectfully,

Commissioner.

BRIEF OF APPLICANTS.

In the Choctaw and Chickasaw Citizenship court,

Tishomingo, Indian Territory.

#######

NEWT ASKEW ET AL NO. 1.....

and

WILLIAM QUINT ASKEW ET AL NO. 2,

and

J. M. HILL ET AL. NO. 68.

and

L. F. RHODES ET AL. NO. 89. .....APPLICANTS.

vs

THE CHOCTAW AND CHICKASAW NATIONS .....DEFENDANTS.

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THOS. NORMAN

WILLIAM I. CRUCE,

Attorneys for
applicants

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Statement of Case.

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These four several cases are applications for admission to citizenship in the Choctaw tribe or nation of Indans as Choctaws by blood and inter-marriage. The applicants in each particular case are related to the applicants in each of the other cases, and the evidence, in nearly all its salient features, is like applicable to them all. The Court has therefore consolidated the evidence in these cases, and ordered that the evidence taken in any one of them/ be, in so far as it is applicable, used in each of the others.

This evidence shows that the applicants claim to be descendants of an old half-breed Choctaw Indian, named Aaron Askew, who lived and died in the state of Alabama. He was a minister of the Primitive Baptist faith, and in the latter part of his life, held office in the county of Lauderdale, Alabama, for a number of years.

He was a man of some prominence and ability, and probably emigrated to that place at an early day, to proclaim the teachings of his Master to the people of that vicinity. And laboring with te the people there to this, purpose was he found until his death.

He reared rather a large family, of whom however, it is not necessary here to make mention, except Tom, Murrill, Matilda, or Mattie, and Elizabeth(or Betty). Tom Askew was the oldest and he was the ancestor of the applicants in cases numbered 1 and2; Murrill was the ancestor of the applicants in case numbered 89; Matilda, who married Hiram Hill, was the ancestor of the applicants in case numbered 68; while Betty, who married a man named Doz Douglas, was the ancestor of Leona D. Houghten et al.

It appears that Aaron Askew, as well as his sons and daughters, married white people, and that Aaron Askew himself was half white and half Choctaw Indian. It also appears that all the other intermarried parties herein are white people, excepting Tavia, the wife of William Askew, who claims to be of mixed white and Indian blood.

All of Murrill Askew's children and descendants are now upon the roll of citizenship of the Choctaws, save and excepting only the parties in the case of L. F. Rhodes et al, numbered 89. A duly certified statement from the Commission to the Five Civilized Tribes, filed herein shows that the parties mentioned therein are upon the final rolls of that nation, and the evidence taken discloses that they are the descendants of said Murrill Askew. All of them were admitted to citizenship in virtue of a judgment and decision of the United States Indian Agent.

Betty Askew, who married Joe Douglas, had a girl named Leona who married a man named Houghton, and this Leona Houghton, together with her husband and child were admitted to citizenship in the Choctaw nation, by a judgment of the Commission to the Five Civilized Tribes, rendered under the act of Congress of June 10th, 1896. The name Houghton appears to be variously spelled by the Stenographer, Hoten, Hotel, and Houghton. Houghton is the correct spelling.

It thus appears that of these four brothers and sisters, the descendants of two of them are enrolled as citizens of the Choctaw Nation by blood, by the judgments of two seperate and distinct tribunals of the Unuted States having jurisdiction to so determine.

The applicants in cases numbered 1 and 2 emigrated to the Indian Territory about the year 1890, settling near Willis, I. T., and they have remained therein continuously ever since; the applicants in case numbered 89 acquired their residence in the Indian Territory about the year _____, where they have ever since

lived in the Chickasaw Nation, and the applicants in case numbered 68 became residents of the Chickasaw Nation about the year 1895, and have ever since then continuously resided there. All the applicants in all four of the cases were residents of either the Choctaw or Chickasaw Nation when they applied for citizenship under the Act of June, 1896, and they have been, at all times, since then, residents thereof. It appears that they have always claimed to be of Choctaw Indian descent. Their families, as far back as human mind can remember, has claimed to be of such extraction, and to be considered as such by all persons who, at that time, were in a position to know the truth whereof they spoke. They resembled Indians, and looked like them, and they say that they are Choctaws.

When they came to the Indian Territory, they came with the avowed purpose of resuming their tribal affiliation with the Choctaw Indians, and applied for citizenship therein, at the very first opportunity given them, and are beyond doubt of Choctaw descent.

In the case of Newt Askew, et al, No.1/ there are twenty seven applicants. Of these, two of them are dead, dying since the 25th day of September 1902, whose names are Rebecca Askew and Julius Edward Askew. Of the remaining twenty five, ~~x~~ one of them, Lloyd Hefner, was born since said date. The names of the remaining twenty four are as follows:

Newt Ashew, Nancy M. Askew, Henry Askew, William Edward Askew, Dallas Askew, Tavia Askew, Catherine Askew, John Ashew, Mary Ellen Askew, Taylor Franklin Jackson, Alma Jackson, Roscoe Jackson, Ethel Jackson, Charles Jackson, Viola Elizabeth Hefner, Altha Hefner, Annie Hefner, Roxie ~~Hefner~~ Cordelia Carter, Mary Catherine Brewer, Elma Brewer, ~~Emma~~ Brewer, Mary Belle Brewer, and Marshall Turner. (We think ~~Emma~~ Brewer, ~~Mary Belle Brewer~~, and Joe Hefner are sufficient before the Court as Inter-married parties.)

In the case of William Quint Askew et al, No.2, there are twenty two applicants whose names are as follows:

William Quint Askew, Martha Askew, William Thomas Askew, George Askew, Sam Askew, Mattie Askew, Ella Askew, Tom Askew, Thane Askew, Perry Askew, Tom Askew, Lily Askew, Joseph Askew, Eliza Askew, Ethel Askew, Robert Askew, Dora Askew, Sophia Askew, Bettie Askew, _____Askew, the wife of Sam Askew, __ _____Askew, the child of Sam Askew, and _____Askew, the chi d of George Askew.

Of these, it appears that counsel failed to prove the names of the last three through oversight, and that of the remainder, two of them, Ethel and Robert were born since the passage of the Supplemental Treaty. It will also be noted that there are two parties named Tom Askew, children of different parents.

Case number 68, J. H. Hill et al, the applicant's names are as follows: J. H. Hill, J.F. Hill, Emma Hill, Caroline Hill, Annie B. Stover, Luther Stover, Lulu Stover, Allie Stover, Oliver Stover, Maggie Stover, Herbert Stover, Lillie Stover, Theodore Stover, P. O. Stover; and in case number 89, L. F. Rhodes et al, the applicant's names are L. F. Rhodes, A. O. Rhodes, S. P. Rhodes, E. L. Rhodes, Ella N. Rhodes, Mrs. Roberta Oliver, and Jessie Oliver. The above is the names of the applicants as we now remember them, however, the proof may show the names to be some others, in which event the court will find that out from the investigation of the testimony. The proof in this case shows that Matilda Askew, who was the daughter of Aaron Askew, and the sister of Merle Askew, married Hiram Hill, and that J. H. Hill is the son of this union, and that Mrs. Caroline Stover, wife of P. O. Stover, was the daughter of this union. Hence it will be seen that the Hills and Stovers claim their right through Matilda Hill, daughter of Aaron Askew, and that all the parties to this treaty claimed their blood through the same source.

It will be seen that the applicants in this case have not sought in any way to mislead the Commission, or this court, as to who they claim through. They say that Aaron Askew was a Choctaw Indian; was a preacher of the gospel; was tax-collector in Alabama for a number of years; was a man of prominence and was well known, and had he not been an Indian as claimed by them, it would have been easy for the Nation to have proven that fact by old residents of that state, who knew him well in his lifetime. Besides, they locate Merle Askew in the Indian Territory, Chickasaw Nation, about the year 1884, show that he was a preacher, and a man of prominence and had he not been an Indian, there are hundreds of Indians in the Indian Territory today who knew him, and this fact could easily have been disputed by the nation had he not been an Indian. We call the attention of the court to this facts to show the right and justness

of their claim. The Commission to the Five Civilized Tribes was sent to this country in 1893 to to negotiate a treaty with these Tribes, looking to the opening of this country, and after they had spent two years in the Territory, and failing to accomplish anything they made a report to the Congress of the United States, calling its attention to the fact that they had been unable to make an agreement and calling ~~in~~ attention to the deplorable state of affairs existing in the Territory, and to the fact ~~that~~ that there were numbers of Indians by blood who had been knocking at the doors of the council of these Tribes for admission, but had been denied and that it was a question of the Ins against the Outs. It was upon this report that the authority was given to the Commission to hear and pass upon this application in June, '96.

It will be seen by reference to that act that no requirements were placed upon these applicants; that is, no rules of evidence established, nor any standard that they were required to measure up to. But from the reading of same, it will be seen that Congress intended that their application should be as simple as possible, for it said that no application should be rejected for the want of form, thereby intending that any body could make his own application, without the employment of an attorney, if he saw proper.

So it will be seen that the Commission, in passing upon these cases, and the United States court, admitted those parties who satisfied by their proof the mind of the Commission or court, that they were of Indian blood, without requiring them to bring themselves under any provision of any treaty. It will be noted by examination of section 31 of the Supplemental Agreement, that this action of the Commission and Courts was not complained of. It was known by Congress at that time upon what proof these cases had been passed upon, which seemed to have been satisfactory. By the 32nd section of the Supplemental Agreement, it is provided that

that either party may be permitted, upon application to this court, to take and p esent such further evidence as may be necessary to enable this court to determine the very right of the controversy. So it will be seen that it was intended that no person who presented themselves to this court for admission and who convin ed this court, by his proof of his Indian blood, should be denied his citizenship upon any technical ground, or because his ancestors, through whom he claims, may have failed to comply with some provision of the treaty of 1830. The Indians, by their council, have all along ignored the provisions of that treaty in the admission of its citizens, and the act of June 10, 1896 provides that the Dawe's Commission shal conform to those rules established by the council in so far as they were not in conflict with the constitution or treaty.

B. B. Askew, Tom Askew, and in fact, all the children of Merle Askew that are now living, have been before this court. This court has seen them and we submit that their Indian blood prominent, is easily detected by anyone and no one who knows them can for a moment question that they have Indian blood in them. This court is directed to get at the very right of the controversy. Can it be said that it is right todeprive these parties of their right, because their ancestor, Aaron Askew, may have failed to comply with the fourteenth article of the treaty ofl 1830, when the act creating this court says that these judgments are objected to, and should be re-tried for the reason that both nations were not made parties, and for the reason that said cases should not have been tried de novo, and does not undertake to question them, for the reason that the court did not require the applicants to comply with this section of the treaty? We think not.

All of the children of Merle Askew, except Mrs. Rhodes, were admitted to citizenship in the Choctaw Nation by a judgment, and decision of the United States Indian Agent. They are now upon the rolls of the Choctaw Nation, and have filed upon their lands as membe thereof.

They were not required to prove a compliance of this treaty of 1830, and why, we ask, should this court require it, especially when the act creating it is silent upon that point, and specially directs this court to get at the very right of the ~~x~~ controversy? It will be remembered by the court that Mr. Cornish, the attorney representing the nation in arguing the admissibility of testimony in this case, said to the court that if B. B. Askew and others were Indians that these applicants were Indians, but said that he intended to protest against the admission of those, the same as these. This was an admission that if these or the Askews remain upon the rolls, that these applicants should go upon the rolls, and how his protest to their admission can avail him anything, is more than we can understand. They have been adjudged by the Indian Agent to be citizens, have been on the rolls, and participating in its benefits since the Dawe's Commission have admitted them, the SeC. of Int. has approved the same, have been placed upon the regular rolls of the Choctaw Nation, selected and filed upon their land, and their rights have become fixed. The title to their land has vested in them and we know of no power at this time to deprive them of it. We deem it unnecessary to call the attention of the court to the testimony introduced by the applicants in these cases further than to say that it is overwhelming as to the indian blood, of these parties. Not a syllable of proof is offered to contradict this testimony, notwithstanding, if that had been untrue, it would have been easy to produce it upon the part of the nation, except that they offered Judge Overton Love, who undertook to say that Mr. Askew told him that he did not know what nationality he was, and yet Judge Love himself admitted that Mr. Askew was very dark, as dark as a full blood Indian, and only sought to avoid the effect of what he had to admit by saying that he thought he was a Mexican. These Children of Mr. Askew's have been before this court and we submit that this court can see and did see that there could not be

a drop of Mexican blood in them. And the only effect of Judge Love's testimony xx if admissible, which we by no means concede, only acted to establish the fact that Mr. Askew, at that time, did not know whether he was Chickasaw or Choctaw, and even if we should concede that he did not know, these applicants should not be denied their citizenship, for the reason that they showed that their ancestors lived in Lauderdale, Ala., the place where the Chickasaws and Choctaws came from, and he must of necessity have been one or the other, even conceding everything that the nation could possibly claim, and xx in as much as this is a joint estate, we cannot see how the nation could be effected one way or the other, or what difference it would make to the nation as to what tribe these parties belonged to. Their right would be the same, and the amount that they would receive would be the same if admitted.

We contend, however, that Judge Love is mistaken as to what Mr. Askew told him, or else Mr. Askew, when he told him this, considered it none of his business as to what nation he belonged to. For the reason that the proof in this case shows beyond any question that he was at that time claiming to be a Choctaw and that his children made their application to the Choctaw Nation, as Choctaws were admitted by the Indian Agent, as such, and this judgemnt of the Indian Agent fixed the status and blood of Mr. Askew and his children, and the Nation cannot now attack same in a collateral way or avoid the effect of this judgment by showing one occasion when old man Askew stated that he did not know what nationality of people he was. Judge Love also claims that Mr. Askew made application to the Chickasaw Nation to be adopted. This we deny, and say that if he made such an application, this application is in the possession of the Chickasaw Nation, that he failed to produce it, and he failed to show that it had been destroyed.

An objection was made to the introduction of Judge Love's testimony, or rather a motion was made to exclude it, which will be found in the record, and which motion we still insist upon, and think upon a careful consideration by the court, that the whole of his testimony will be excluded. The proof of this case is that all of the applicants herein moved to the Indian Territory many years before the passage of the act of 1896, and before they had any reason to believe that this country was approaching a division and before they had anyreason to believe that they would everderive any benefits therefrom, other than to live here. They came here, as they avowed, looking for their people, and wanting to settle and live among their people, and as one of them expressed it, this included, " My relatives, as well as the Indian tribe generally." No one claims that they have ever denied their Indian blood, notwithstanding the fact that they lived in a country that subjected them to insults, by reason of their blood. And they say that they came to this country with the avowed purpose of taking up their citizenship with the tribe.

This court can readily see that there is no fraud whatever connected with this case, and must know from the testimony that these applicants are honest in their contention, and no attempt is made to dispute their Indian blood, but the Nation are fighting this case solely upon the ground, as they contend, that the applicants have been unable to prove that they are members of the Choctaw Tribe of Indians. They assert that they are members of the Choctaw Tribe of Indians by blood, this we think makes out a prima facie case, and we think it is incumbent upon the Nation, in order to defend their claim, to show that they are members of some other tribe, and this they have failed to do, or even to attempt such a thing. We do not understand that this court held that it is necessary to show that the ancestors complied, or attempted to comply with the fourteenth article of the treaty of 1830, and

and only held that if the records show that he did comply with that article of the treaty, that the record itself shows the tribe to which he belongs. That in the absence of any showing that the ancestors complied, or attempted to complywith this articel of the treaty, that they might show to which tribe they belong by other proof, and if the proof is sufficient to convince a reasonable mind that the applicants are Indians, or of Indian descent, and is sufficient to convince the reasonable mind as to the tribe they belong to, that this court will act upon it and admit them.

But we do not wish to burden this court longer with this brief, and wish to say in conclusion, that we submit this case with confidence that this court will give to the testimony introduced a careful reading, and fair consideration, that they will not take into consideration the passing of this incompetent testimony introduced by Judge Love, and if it does, it will not permit the testimony of one, feeble in health as Judge Love shows himself to be, to over-balance the testimony introduced by the number of witnesses introduced on the part of the applicants. And will not look for technicalities or rigid rules of testimony to defeat these parties of their just rights, but will get at the very right of the controversy, and when this is done, we feel confident that this court will conclude that these applicants are Choctaw Indians, are entitled to their rights and will so adjudge.

No. 71

No. 2. Aaken et al
vs.
The Choctaw Nation

Judgment

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Entered
Citizenship Record
Page 13 :+

Thos. Norman, Atty for applicant.

William Quint Askew et al, Plaintiffs
vs No 71
The Choctaw Nation, Defendant

This cause coming on to be heard upon the Masters report herein and exceptions thereto, and the pleadings and evidence, on this the 21st day of Dec 1897: And it appearing to the Court from the said Masters Report and evidence herein that a half breed Choctaw Indian, named Aaron Askew, ~~died~~ died in the state of Alabama; that said Aaron Askew married and had born to him, among other children, two boys named Tom and Murrell; That Murrells Askews descendants are now enrolled citizens of the Choctaw Nation; That the applicants herein are the descendants of Tom Askew, That Tom Askew married and had born unto him four children, towit;- William Quint Askew, Murrell Washington Askew, Newt Askew, and Mary Askew.

It further appears that the above William Quint Askew is one of the applicants herein, and that all the other applicants are his descendants;

It also appears that all of the applicants herein are bona fide residents of the Chickasaw Nation Indian Territory, and also that neither they nor their ancestors have received any lands or other property from either the Choctaw Nation or the United States, and also that they are of white and Indian blood and are entitled to citizenship in the Choctaw Nation and to enrollment as citizens thereof, having duly complied with the law in all respects in the prosecution of this application.

It is therefore ordered decreed and adjudged that the following named parties be and the same are hereby admitted to citizenship in the Choctaw Nation, and ordered to be enrolled as citizens and members thereof towit:-

William Quint Askew, William Thomas Askew, George Washington Askew, Sam Askew, Mattie Askew, Ellen Askew, Tom Askew, Thane Askew,

Perry Aaken, Tommy Aaken, Lillie Aaken,
Gilbert Aaken, Lizzie Aaken, and Sophia Aaken;

And it is ordered, decreed, and adjudged
that they [~~forever enjoy, exercise, and have~~] possess, and be permitted to enjoy and exercise all the
rights, privileges, and immunities of citizens and
Members of said Choctaw Nation of Indians.

It further appears that exceptions have
been filed to that part of the Masters Report
relating to Martha Aaken, Betty Aaken, and Dora
Aaken, and it is hereby ordered that this cause stand
open as to these three parties so that said exceptions
may be considered hereafter, but in all other respects
and with reference to all other parties mentioned in the Masters report
said Masters Report is confirmed

Hosea Townsend
Judge

In the United States Court in the Indian Territory, Southern district, at Ardmore.

William Quint Askew et al, applicants)
(Exceptions to the Masters Repo
vs.)
(Choctaw Nation, defendant.)

Now comes the applicants in the above application and respectfully except to the Masters Report herein, and say that the same is contrary to the law and the evidence in the respects hereinafter pointe out, to-wit:-

In holding that Martha Askew, Betty Askew, and Dora Askew should be denied enrolment and citizenship on the grounds that they married their husbands, who are Choctaw Indians, under and by virtue of a license issued by the authority of one of the states of the Union, and not under and by one issued by the tribal authorities of the Choctaw Nation, and on the further ground that the marriage was consumated since the year 1870.

They further say that this ruling of the Masters on these questions of law is wholly erroneous, because first, these applicants married their husbands lawfully and legally, and could not at the time of the marriage have secured a license from the Choctaw Nation, for the were not at that time citizens of that Nation.

Second, because the treaties and laws of the United States give these inter-married parties a right to citizenship.

Third, because the Choctaw laws give them a right to citizenship, and the evidence in this case shows thatfact.

Fourth, because under the Choctaw law, and ours as well, the wife would become a citizen, for she takes the citizenship of her husba

Fifth, because the husbands herein of these parties would be citizens of one nation, the Choctaw, whilst their husbands would be citizens of another and different one, the United States.

in this application except as to Martha Askew, Bettie Askew, and Dora Askew, and that as to these three parties it be so changed and amended as to allow them to enrollment and citizenship as inter-married citizens.

Thos. Jorgan.
Atty for applicants.

No 71

William Saint Asken et al, Plaintiffs
vs
Choctaw Nation, Defendant } Judgment

This cause coming on to be heard on this the 12th day of March, 1898, as to all those parties as to whom the Judgment heretofore rendered on Dec. 21st, 1897 was reserved and held open, And the court being fully advised as to both the law and evidence finds that Martha Asken, Betty Asken, and Dora Asken are Choctaw Indians by marriage and that they are entitled to citizenship in said Choctaw Nation or tribe of Indians, and to be enrolled on the rolls of citizenship of said nation.

It is therefore ordered, decreed, and adjudged that Martha Asken, Betty Asken, and Dora Asken be and the same are hereby admitted to citizenship in the Choctaw Nation and to enrollment upon the rolls of said nation, and they are hereby vested with and shall be permitted to exercise and enjoy all the rights, privileges, and immunities of citizens of said nation. The Clerk is hereby ordered and directed to certify a copy of this Judgment to the Dawes Commission, and said Commission is hereby directed to enroll the above parties on the roll of the Choctaw Nation.

entitled to enrollment and to citizenship in the Choctaw Nation to wit:
William Quint Baker William Thomas Baker, George Washington Baker, Sam
Baker, Mattie Baker, Elton Baker, Tom Baker, Jesse Baker, Perry Baker,
Henry Baker, Minnie Baker, Gilbert Baker, Lizzie Baker and Sophia Baker.
I find furthermore all the marriages spoken of above are considered in
the several states of the Union and by virtue of license

Witness my hand this 1st day of May 1907.

Master in Chancery.

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Master's Report

William Quint Baker
Choctaw Nation

UNITED STATES COURT SOUTHERN DISTRICT AT ARDMORE INDIAN TERRITORY.

William Quint Askew et al

vs#7I

Choctaw Nation/

Master's Report.

I find from the evidence in this case that there lived and died in the state of Alabama a half blood choctaw Indian named Aaron ,skew; that this Aaron Askew married a white lady and by her, as an issue of this marriage, he had several children, among whom were three boys named Tom, Mose and Murrell. Tom Askew(the said son of Aaron ,skew) married a white lady named Betty Blassingame, and had by her , as an iss e of this marriage, four children ,to wit; Wm. Quint Askew, (one fof the applicants herein) George Washington Askew, Newt Askew(~~Another applicant herein~~) and Mary Askew.

I find further that the William Quint Askew married a white lady named Martha Stuts, and by her as an issue of the marriage, had the following children, William Thomas Askew, George Washington Askew, and Sam Askew. This wife of the said William Quint Askew died and in 1887 he married a white lady named Martha Barnwell, and by her he had the following named children , to wit; Mattie, Ellen and Tom.

William Thomas Askew,(a child of said William Quint Askew) married a white lady by the name of Betty Colbert, in the year of 1881, and by her had as an issue of this marriage the following children,; Thane, Perry, Tommy, Lilie, Gilbert and Lizzie.

George Washington Askew(another son of said William Quint Askew) in the year 1890 married a white woman named Dora Colbert, and by her, as an issue of this marriage, had one child named Sophia.

I find from the evidence in this case that the said William Quint Askew is a one eigth choctaw indian by blood, the rest being white blood; that all of his children are one ~~sixteenth~~ sixteenth choctaw indian by blood; and his grand children are one thirty second choctaw indian by blood; and all of them are entitled to their Indian Birthright. and I therefore recommend th t the following named partied be

admitted to enrollment and to citizenship in the Choctaw Nation to wit; William Quinton Askew, William Thomas Askew, George Washington Askew, Sam Askew, Mattie Askew , Ellen Askew, Tom Askew, Thomas Askew, Perry Askew, Tommy Askew, Lillie Askew, Gilbert Askew, Lizzie Askew and Sophia Askew. I find furtherthat all the marriages spoken of above were occurred in the several states of the Union, and under and by virtue of license issued by said state, and were not consummatedunder license issued by authorities of the Indian Nation; and further that said marriages were consummated since the year 1876; and I therfore recommend that the following named partied(who have inter-married with the Indians by blood) be denied enrollment to wit; Martha Askew, Betty Askew and Dora Askew.

W H L Campbell

Master in Chancery

IN THE UNITED STATES COURT, SOUTHERN DISTRICT, INDIAN TERRITORY
AT ARDMORE.

BE IT REMEMBERED, That on the 31st day of December A. D., 1897, the same being the 52d day of the regular November, 1897 term, present and presiding the Honorable Seaman Townsend, Judge. After Court being opened in due form of law, the following among other proceedings, were had on the Indian Citizenship Docket, to-wit:-

UNITED STATES COURT, INDIAN TERRITORY, SOUTHERN DISTRICT AT ARDMORE.

Murrel Washington Askew, et al.)
No. 72. vs)
The Choctaw Nation.)

This cause coming on to be heard upon the Master's Report herein and exceptions thereto, and the pleadings and evidence on this 21st day of December, 1897, and it appearing to the Court from the Master's Report and evidence herein that a half breed Choctaw Indian, named Aaron Askew lived and died in the State of Alabama, that said Aaron Askew married and had born to him, among other children, two boys, named Tom and Murrell, that Murrell Askew's descendants are now enrolled citizens of the Choctaw Nation, that the applicants herein are descendants of the said Tom Askew. That Tom Askew married and had born to him four children, to-wit: William Quint Askew, Murrell Washingtom Askew, Mute Askew, and Mary Askew. It further appears that said Murrell Washington Askew and Mute Askew are applicants herein and that all the rest of the applicants herein are their descendants. It also appears that all the applicants herein are bona fide residents of the Chickasaw Nation, Indian Territory; and also that neither they nor their ancestors have received any land or other property from the Choctaw Nation or the United States, and also that they are of white and Indian blood and are entitled to citizenship in the Choctaw Nation, and to be enrolled as citizens thereof, having duly complied with the law in all respects in the prosecution of their application:

IT IS THEREFORE ORDERED, DECREED AND ADJUDGED, That the following named parties be and the same are hereby admitted to citizenship in the Choctaw Nation, and ordered to be enrolled as

citizens and members thereof, to-wit:-

Murrell Washington Askew, Mrs. Mary Catherine Brewer, Mrs. Martha Etta Turner, John Askew, Nute Askew, William Howard Askew, Mary Ellen Jackson, Taylor Franklin Jackson, Alma Jackson, Charlie Jackson, Roscoe Jackson, Henry Edward Askew, Elizabeth Viola Askew, Dallas Alexander Askew, Roxie Cordelia Askew, Emma Brewer, Elmer Brewer, Mrs. Rebecca Askew, and Mrs. Nancy Melinda Askew, and

IT IS ORDERED, DECREED AND ADJUDGED, That they possess and be permitted to enjoy and exercise all the rights, privileges and immunities of citizens and members of said Choctaw Nation of Indians.

It further appears that exceptions have been filed to that part of the Master's Report relating to George Brewer, Marshall Turner and Tom Jackson, and it is hereby ordered that this cause stand open as to these parties, so that said exceptions may be considered hereafter, but in all other respects and with reference to all other parties mentioned in said Report, said Master's Report is confirmed.

Hosea Townsend.

Judge.

United States of America.)
Indian Territory.)
Southern District.) I, C. M. Campbell, Clerk of the United States Court, within and for the Southern District of the Indian Territory, do hereby certify that the above and foregoing is a true, perfect and literal copy of Decree in Cause No. 72, W. M. Askew, et al, vs The Choctaw Nation, as appears of record in Citizenship Book "A", page 158.

In testimony whereof, I have hereunto set my hand and affixed the seal of said Court, at my office in Ardmore, Indian Territory, this 2nd day of February, 1905.

C. M. Campbell Clerk.

Muriel W. Aiken

Charles Nelson

Master's Report

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CLERK CIRCUIT COURT

Estate of ... deceased

... Petitioner

... Respondents

... Petitioner ... Respondents ... Petitioner ... Respondents ... Petitioner ... Respondents

UNITED STATES COURT SOUTHERN DISTRICT AT ARMORE INDIAN TERRITORY.

Murrell Washington Askew et al

vs #72

Choctaw Nation

Master's Report.

I find from the evidence in this case that there lived and died in the state of Alabama, a half blood choctaw indian named Aaron Askew; that this Aaron Askew married a white lady, and by her had, as an issue of this marriage, several children; among whom were three boys, named Tom, Mose and Murrill. Tom Askew (the said son of Aaron Askew) married a white lady named Betty Blassingame, and by her had as an issue of this marriage four children to wit; William Quint Askew, Murrill Washington Askew, Newt Askew and Mary Askew. The said Murril Washington Askew, one of the applicants herein, married in the year 1866, a white woman named Rebacca Wright, and has by her, as an issue of this marriage, the following children; Mrs May Catherine Brewer(nee Askew) Mrs Martha Etta Turner(nee Askew), and Johny Askew. Mrs Mary Catherine Brewer married George Brewer a white man, since 1876, and by him had the following named childrn Emma Brewer, and Elma Brewer. Mrs Martha Etta Turner, married a white man named Marshall Turner, since 1876. The said Newt Askew married a white woman in 1866 named Nancy Melinda Bossham, and by her had the following named children to wit; William Howard Askew, Mrs Mary Ellen Jackson(nee Askew), Henry Edward Askew, Elizebeth Viola Askew, Dallas Alexander Askew, and Roxy Cordelia Askew. The said Mary Ellen Jackson married a white man nameed Tom Jackson since 1876 and by him had the following issue of said marriage, to wit; Taylor Franklin, Alma, Charlie and Roscoe. I find further that the said Murrill Washington Askew and Newt Askew are one-eigth choctaw indians by blood, and seven-eigths white; that their children are one sixteenth choctaw indians by blood; and their grand children one-thirty-second choctaw indian by blood, and that all of them are residents of the Indian Territory; and I therefore recommend that that the following named partied be admitted to enrollment and to citizenship in the choctaw Nation, to wit; Murril Washington Askew, Mrs, Mayt

UNITED STATES COURT

Catherine Brewer, Mrs Martha Etta Turner, Jonh Askew, Newt Askew, William Howard Askew, Mary Ellen Jackson, Taylor Franklin Jackson, Alma Jackson, Charlie Jackson, Rascoe Jackson, Henry Edward Askew, Elizabeth Viola Askew Dallas Alexander Askew, Roxy Cordelia Askew, Emma Brewer, and Elmer Brewer. I also recommend that Mrs. Rebecca Askew and Mrs Nancy Melida Askew be admitted to enrollment as inter-married citizens.

I find further that all the other marriages herein were contracted in the states and consummated under and by virtue of license issued by the several states and not by and Indian Nation and that all such parties so inter-married are not entitled to citizenship, and I therefore recommend that the following persons be denied enrollment to, wit; George Brewer, Marshall Turner and Tom Jackson.

J W L Campbell

MASTER IN CHANCERY

IN RE [redacted] CITIZENSHIP CLAIM OF)
(IN THE CHOCTAW NATION.
[redacted] WASHINGTON ASKEW et al.)

LIST OF PARTIES APPLYING FOR CITIZENSHIP.

MURRILL WASHINGTON ASKEW.
REBECCA ASKEW.
MRS. MAY CATHERINE BREWER.
GEORGE BREWER.
MRS. MARTHA ETTA TURNER.
MARSHALL TURNER.
JOHNIE ASKEW.
[redacted] ASKEW.
[redacted] ASKEW.
WILLIAM HOWARD ASKEW [redacted] BREWER.
MRS. MARY ELLEN JACKSON

TOM JACKSON.
HENRY EDWARD ASKEW.
ELIZABETH VIOLA ASKEW.
DALLAS ALEXANDER ASKEW.
ROXY CORDELIA ASKEW.
TAYLOR FRANKLIN JACKSON.
[redacted]
[redacted] JACKSON.
CHARLIE JACKSON.
ROSCOE JACKSON.
[redacted]
EMMA BREWER.

Thos. Norman,
Atty for applicants
Ardmore,
I. T.

NO_____

IN RE THE CITIZENSHIP CLAIM)
(APPLICATION FOR CITIZENSHIP in the Choctaw Nation.
OF MURRELL WASHINGTON ASKEW ET AL)

BEFORE THE HON. DAWES COMMISSION SITTING AT VINITA, I.T.

FOR THE PURPOSE OF PASSING UPON THE RIGHT TO CITIZENSHIP OF ANY APPLICANT IN ANY OF THE FIVE CIVILIZED TRIBES OR NATIONS.

Now comes your Applicants herein, namely, Murrell Washington Askew, and his wife Rebecca Askew, and their children, namely Mrs May Catherine Brewer, Mrs. Marta Etta Turner, Jennie Askew; Also Newton Askew and his wife Nancy Ann Askew, and their children namely, William Howard Askew, Mrs Mary Ellen Jackson, Henry Edward Askew, Elisa Viola Askew, Dallas Alexander Askew, Roxy Cordelia Askew and Mrs Mary Ellen Jackson, Harley Jackson, Rebecca Jackson,

and respectfully state to this Hon Commission that theyare resident of the Indian Territory, and that their Post Office address is Paul Indian Territory

Theyfurther state that they are Choctaw Indians by blood and are entitled to the rights of citizenship in the Choctaw Nation and they alledge as grounds therefor the following statements of facts, to wit;

All your applicants are decendants of a common ancestor, namedAaron Askew, who was a half blood Choctaw Indian. This Aaron Askew lived and died in the state of Ala.,He had three children who were named respectively, Tom, Hose and Murrell. Tom Askew married a white lady named Betty Blassingame, by whom he had four children, namely, William Quint Askew, Murrell Washington Askew, Newt Askew, and Mary Tollison. Two of these children Murrell Washington Askew and Newt Askew, are applicants herein.

The said Murrell Washington Askew married Rebeca Right-Limmer who was a white lady, and by her he has the following children, to

Wit:- Mrs May Catherine Brewer, Mrs. Martha Etta Turner, [redacted] and Jonnie Askew.

The said Newt Askew married Nancy Melinda Hutchens (in 1866), who is a white lady, and by her has the following children, namely:-

William Howard Askew, Mrs. Mary Ellen Jackson, Henry Edward Askew, Elizath Eliza Viola Askew, Dallas Alexander Askew, Roxie Cordelia Askew.

[redacted] Mrs May Catherine Brewer (nee Jefferson) married George Brewer in [redacted] and by the said [redacted] Mary Jefferson Markham Alex Jefferson [redacted] about the year 1873, Mary Catherine Brewer Daughter of Murrell Washington Askew, has Two children namely Emma Brewer & Elmer Brewer [redacted] Mrs. Mary Ellen Jackson (nee Askew daughter of Newt Askew) married Tom Jackson in [redacted] and by as an issue of said marriage Three Children, Taylor Franklin, Elmer Burke and Roscoe. Martha Etta Turner (nee Askew daughter of Murrell Washington Askew) married Marshall Turner in

The above mentioned Murrell Askew, the son of Aaron Askew, came out to the Indian Territory a number of years agu, and applied to the proper authorities o the Choctaw Nation for admission to citizenship in said nation; but before his application was acted upon, he died. Thereupon his children revived the application, and prosecuting the same to a final hearing, were admitted to citizenship in said nation. A copy of the certificate issued by the authorities of said nation to said applicants is annexed hereto and made a part of this application. All these decendants of Murrell Askew just referred to are related to your applicants herein by blood.

Your applicants would further state that they have never applied for citizenship in said nation before, although thew knew t that they were Indians by blood. They now however ask that they be admitted to citizenship in said nation, and be enrolled on the roll now being made up by said commission

Murrell Washington Askew is 60 years old. Rebecca Askew is 62 years old. Mrs. May Catherine Brewer is 24 years old. Mrs. Martha Etta Turner is 22 years old. Jonnie Askew is 16 years old. Newt Askew is 54 years old. Nancy Mahaley Askew is 44 years old. William Howard Askew is 24 years old Mrs. Mary Ellen Jackson is 27 years old. Henry Edward Askew is 23 years old. Eliza Viola Askew is 18 years old. Dallas Alexander Askew is 13 years old Roxy Cordelia Askew is 11 years old.

Mary Tolbert is 19 years of age, Mrs. Tolbert are Geo. Brewer is 30, Marshall Turner is 25. Tom Jackson 28, Emma Brewer is 3, and Ollie Brewer is one year old.

MS None of your applicants antecedents, nor any of your applicants themselves have ever received any lands or other property from either the federal goverment or the Choctaw Nation, wherefore they ask to be admitted and enrolled as aforesaid, and enjoy all the rights and privileges of a full citizen.

Murrell Washington Askew
his mark
Newt Askew
his mark
W H Askew
Mrs. Jackson
Henry Askew
Mary Brewer George Brewer
Rebecca Askew
his mark
Martha E Turner
M A Turner

The above facts and statement

Before me the undersigned Notary Public, personally appeared the above Murrell Washington Askew, Newt Askew, W.H. Askew, Mary Jackson, Henry Askew, Mary Brewer, George Brewer, Rebecca Askew, Martha Etta Turner, and M.A. Turner, on this the 10th day of August 1896, and signed the above application in my presence, and swore that the facts and statements contained therein are true and correct.

[illegible]
Notary Public.

This is to certify that Dora McIntyre
and Sam McIntyre are recognized as
citizens of the Choctaw nation
Witness my hand & seal of office
this the 18th day of October 1895

J. B. Jackson
National secretary
Choctaw Nation

I hereby certify that the above is
a True copy with the exception of the
seal of the Choctaw nation I am unable
to make
witness my hand and seal of office
this Aug 22nd 1896

Jessie Turner
Notary Public

STATEMENT OF COUNSEL.

This is ac case where two brothers, and their children, and their grandchildren, have all united in a joint application for admission to citizenship in the Choctaw nation or tribe. They set out in their application that there lived an old Indian named Aaron Askew who was a half blood Choctaw. that this Aaron Askew had three sons, Tom, Mose and Murrill. That this Tom ASKEW , who was the son of said Aaron Askew was the father of two of the applicants herein, Murrill Washington Askew and Newt (or Newton) Askew, each of whom are 1/8th Choctaw.

Murrill Washington Askew has three children who have united with him in this application, and who are named, Mrs. May Catherine Brewer, Mrs. Martha Etta Turner, and Jennie Askew.

The said May Catherine Brewer has two children who have united in this application and who are Emma Brewer and Elmer Brewer.

Newt Askew the brother of the said Murrill Washington Askew has six children who have united herein and who are named William Howard Askew, Mrs. Mary Ellen Jackson., Henry Edward Askew, Elizabeth Viola Askew, Dallas Alexander Askew, and Roxie Cordelia Askew.

Mrs. Mary Ellen Jackson. the daughter of the said Newt Askew, has four children who have united in this application and who are namedTaylor Franklin Jackson, Elmer Jackson., Charlie Jackson, and Roy Roscoe Jackson.

Now in addition to the foregoing parties. all of whom are Choctaws by blood, there are several other parties who have united herein_ parties who do not claim to have a right to citizenship because of the Indian blood in their veins, but because of their having legally Married parties who did have such Indian blood in them. These parties are a follows, to wit;- Rebecca Askew, the wife of Murrill Washington Askew; Nancy Maliney Askew, the wife of the said Newt Askew; George Brewer the husband of May Catherine Brewer; Marshall Turner, the husband of Martha Etta Turner; Tom Jackson., the husband of Mary Ellen Jackson.

This applicat[illegible] is signed [illegible] close parties who are [illegible] but it is not subscribed and sworn to by those children who are not minors. The proof is cumulative and direct that applicants herein are choctaw indians by blood. Among those who testify are four choctaw indians, M askew, Bailus Askew, Mattie Sterritt, an Dora Askew, all of whom declare they are related to your applicants by blood, and that your applicants are indians by blood. They prove and sustain every material allegation in the complaint, and show beyond all doubt that your applicants are as they represent themselves. Besides these indians just alluded to there are several other parties who make affidavit that the application, or rather the statements in the application, [illegible] and correct, and they go on to show that they have known your applicants from infancy, and [illegible] said Aaron Askew was a half blood choctaw. They show that Aaron Askew had three sons. Tom, Mose, and Murrill, and that Tom was the father of two of the applicants herein, the remainder being his grand children and great grand children. The chowtaw council has acknowledged the justness of the Askews claims, and have already admitted one branch of the with citizenship, as will appear from the within certificate, which is in words and figures to wit,

" This is to certify that Dora McKenzie and Sam McKenzie are recognized as citizens of the choctaw nation.

J.B.Jackson. national secretary

choctaw nation"

Now the parties just spoken of in the above certificate are children of said Murrill Askew. In fact all of Murrill Askews children have been admitted to citizenship. as will appear from the within affidavits. The parties applying herein for citizenship are the children of Tom askew referred to above. and their decendants. Tom and Murrill were full brothers. Murrills children have been admitted to citizenship and now Toms children and their decendants ask to be admitted, and as they all derive their right to citizenship from the same source, it cannot be said they are not equally entitled to recognition.

This is a [illegible] case to that of William Quint Askew, to which we respectfully refer you, as the evidence in this applies in this.

THOS NORMAN, ATT'Y FOR APPLICANTS,

ARDMORE, IND. TER.

IN RE THE CLAIM OF)
MURRILL WASHINGTON ASKEW ET AL.) IN THE CHOCTAW NATION.

MOTION.

Now comes your applicant herein and respectfully state that several years ago one Murrill Askew applied for citizenship in the Choctaw nation, and filed in support of his application thereto the affidavits of himself and Blue Allen and Frank Allen, all of whom are now dead. They would further state that these affidavits are [illegible] and material to the establishment of your applicants claim herein in as much as the said Murrill Askew was a Brother of Tom Askew, through whom your applicants derive the right to citizenship in the Choctaw nation.

[illegible] ask that [illegible] permitted to produce the affidavits of the aforesaid [illegible] they are dead, his condition [illegible] with [illegible] to citizenship in the Choctaw nation.

Thos. Norman.

ATTY FOR APPLICANTS

ARDMORE, I.T.

The Commission will not act on the above motion unless it should conclude that the affidavits already on file are insufficient to establish their citizenship.

THOS. NORMAN, ATTY.

Affidavits of M Askew, (Asken) B B Askew, Mrs Mattie Starritt, Mrs Dora McKenzie.

in the matter of the citizenship claim of Murrell Washington Askew et al.

We M Askew, B B (or Burrell) Askew, Mrs Mattie Starritt, Mrs Dora McKenzie

, aged respectivoly M Askew 46 years old, Mrs Starritt 38 yrs

, state that our POSTOFFICE ADDRESS is Rock Creek Territory

We are familiar with the facts set forth in the application referred to in the caption and style, and know them to be true to our own personal knowledge. We are all Choctaw Citizens, having been admitted to citizenship in the Choctaw Nation ~~several years ago~~, and we attach a copy of the certificate issued to us by the authorities of said nation at that time.

Our father was named Murrell Askew. He had two brothers named Mose and Tom, all of whom were born and raised in the state of Ala. They were full brothers, and were one fourth Choctaw Indian by blood.

Our father moved to the Territory a number of years ago ~~and applied for admission to citizenship in the Choctaw Nation, but before his application was acted upon he died.~~ We his children continued the application, and was admitted to citizenship as afore said. We are citizens of the Choctaw Nation.

Our father's brother Tom, married a white lady named Betty Blassingame, and by her had four children named William Quint Askew, Murrell Washington Askew, Newt Askew, and Mary Tollison We know all these part os personally, and know them to be the persons they represent themselves to be. We were acquainted with them before we moved from Ala., and reside only a short distance from them now.

Murrell Washington Askew married Rebecca Right-

who

who is a white lady. Mrs. May Catherine Brewer, Mrs. Martha Etta Turner, and Jonnie Askew are children of theirs, or at least they claim ~~themselves~~ to be so , and are recognized as such by everybody

We are not so familiar with these children as we are with their parents, neither are we as well acquainted with Newt Askews c children as we are with himself and wife.

Newt married Nancy Melinda Rawlston, who is a white lady, and the children enumerated in the application are recognized and considered as theirs. We know them to be relatives of ~~ours~~ a our relationship is as follows ~~Our~~ Choctaw Father name Aaron Askew, was one half choctaw Indian by blood he Married and had three children sons by his wife named Tom, Mose, and Murrill, these boys were all full brothers Our Father whose name was Murrill Askew, was one of these boys Tom. Askew who was a full brother To ~~our~~ father had Four children they were William Lucent, Murrill Washington, Newt and Mary. they are therefore ~~our~~ Cousins and like ~~myself~~ ourselves one Eight Choctaw by blood

B B Askew
his
M x Askew
mark
Mattie Blarnett
her
mark
Mrs Dora x McKenzie
her
mark

Albert C. Seaife

Subscribed and Sworn to before me
This 14 day of Aug 1914

Dodd Turner
Notary Public

Affidavit of Eliza Askew x

My nome is Eliza Askew, I am 73 years of age, and my Post office address is Ross, Indian Teritor, x I know the parties that are applying for Citizenship and know them to be children of my Husband Murrill Askew, and My Children M Askew, Dallas Askew, A Askew, Tom Askew, Quint Askew, Mrs Bell Hendricks, Mattie Stant, Eliza Alexander, and Mrs Dora McKinzie,

Their Relationship is as follows. My Husbands Father named Aaron Askew was one half Choctaw Indian by blood x He Maried and had three boys named Tom, Moze, and Murrell x These boys were all full brothers x My Husband, Murrell Askew, was one of those boys x Tom Askew was one of them also x Tom had four children x They were Quint, Brook, Murrell Washington, Newt, and Mary x I am positive that they are descendants of Aaron Askew and that they are like my children one Eight- Choctaw Indian by blood x

Eliza A Askew

Known To and subscribed before
Me this the 18th day August 1896

Jesse Turner
Notary Public

Affidavit of J. L. Davidson

My name is J. L. Davidson My age is 55 yrs
I was borned and raised in Lowndes county, State of Alabama
I was personly acquainted with Aaron Askew and
his three sons Murrell, Moore, and Tom I also know
Tom Askews children William Isaac, Murrell Washington
Newt, are not acquainted with Mary Tolison but
Her know of her I know them to be Tom children of
Aaron Askew, who was a half shoctaw indian, and
considered as such by all who knew him, I was
raised in the same neighborhood, and have known him
ever since I was old enough to know any body, I have been
To his house often and I know that Tom was
his son ~~from him~~ I knew him well in my
childhood days until he died ~~after I was a man grown~~ I attend his funeral, I have known his
children ever since, I have lived continously
near the Askews ever since I was born.
I know that William Isaac, Murrell Washington, ~~and~~
Newt Askew, are first cousins of Murrell Askew's
children, namely, M. Askew, Dailus Askew, A. Askew,
Tom Askew, Isaac Askew, Mrs Bell Hendrick, Mrs
Mattie Stone, Mrs Eliza Alexander and Mrs Dora
McKenzie who has ben admitted as citizens in the
Choctaw Tribe of Indians, and are considered as such
by all who know them, They are to the best of my

Knowledge and belief one Eight Choctaw Indian by blood, and William Grant, Murrell Washington, Ex Asst, are the same I am positive that both come and originate from Ole Aaron Nelson the Ole Choctaw Indian of Oklahoma.

R. H. Davidson.

Sworn To and Subscribed before me this the 18th day August 1896.

Nettie Turner
Notary Public

Affidafit of Rebeca Askew
In Recitizenship claim
of Murrel Washington Askew Et al

Before the Dawes commis Sitting at Vinita Indian Teritory To determine the rights of Citizenship of any Applicant of the five tribes or Nations.

My Name is Rebeca Askew, I am 62 years of age, I was born and raised in Alabama. I am acquainted with the parties applying for citizenship; ~~how know~~ I have known Murrell Washington, Askew since he was Ten years old, have known Newt Askew since he was Eight years old. I also knew their grand father, Aaron Askew, knew him all my life, I was born in one and one half miles from his house, and live that near him for thirty years, until he died and knew all his children and knew his sons from, Mose, Ben Murrell. He (Aaron) had Two Boys named Aaron, the first one took sick and died, the next child was a boy and they named him Aaron, he fell in a pot of hot soap and was burned to death. He also had a son named Lewis, that fell dead in the field. Aaron Askew was one half Choctaw Indian, or was so considered by every body that knew him. His son Murrell, Married my sister Eliza Right, and moved to the Indian Terrory with their children, namely, M. Askew, Caihus Askew, Tone Askew, Julius Askew, A Askew, Mrs Eliza Alexander, Mrs Mattie Storritt, Bell Runnels, and Mrs Dora McKinzie.

Aaron Askew fourth son Tom who was a full brother to Murrell Askew, Married Nettie Closing one, and had Four Children, William Quinut, Murrell Washington, Newt, and Mary. 2 Married Tom Askew's second son name Murrell Washington Askew.

I know that William Quinut, Newt, Murrell Washington, and Mary, are decendants from Aaron Askew, and are first cousins to my sisters Children (Mrs Murrell Askew,) And my Children are also first cousin on account of their Mother being my sister, and second cousin on account of my husband, Murrell Washington Askew, being a nephew of Murrell Askew, William Quinut Askew, Murrell Washington Askew, Newt Askew, and Mary Tolison are like. Murrell as known Children, one Eight-Choctaw Indian by blood, I have known the Askew family all my life and know positively they are all blood relations, and have all decended from Old Aaron Askew of Alabama who was a one half Choctaw Indian and was recognized as such by all who knew them. My Post office address is Powel Anderson Territory.

Rebeca her + Askew mark

Attest
W. H. Scaife

Sworn To, and Subscribed before me this The 19 day August 1896

W. H. H. Turner
Notary Public

Affidavit of Muriel Washington Askew

In Re Citizenship Claim
of Muriel Washington Askew (1 AB)

3

Before the Dawes commission sitting at Muskogee Indian Territory to determine the right of citizenship of any applicant of the five tribes or nations x

My name is Muriel Washington Askew, I am 60 years of age, my post office address is Tahlequah Indian Territory x I am one of the applicants for citizenship in the above entitled cause x I was born near Florence Alabama, and my father was Tom Askew, and my mother was, before marage, named Betty Blassingame x My father always claimed to be one fourth Choctaw Indian by blood, whilst my mother, claimed to be a white woman x I have heard my father often speak of his being an Indian and of his intention of coming west and setting among them x I moved to the Indian Territory in 1891 My father had two brothers named Murrah and Mose, whom I knew well x I have been to their houses often, and staid with them when a boy x when I went to see my Fathers Father, that is to say, my grand father, who was name Aaron Askew. My grand father was a one half choctaw Indian by blood. He looked like an Indian, and had the ways of an Indian x He had strait black hair and was of dark complexion. He claimed himself to be a one half choctaw Indian and all the people in that community recognized him as such. neither he nor his ancestors ever bore any name or other than

In the way of allotment, by resivation, or otherwise; nor did he ever renounce his citizenship in the Choctow Tribe, nor has any of his decendents done so so that I know of. Neither I nor father have. My uncle Murrill moved a way from Oklahoma on to the Indian Teritory a number of years ago before I left Oklaboma. When I come out here my uncle Murill was dead. Prior to his death however he had filed an application before the proper authorities of the choctow nation for admission to citizen ship in said nation. Upon our arival we assisted our uncle Murrills children in pressing their application to successfull conclusion, they established their rights as choctaw Indians before the proper Authorities of the choctow nation, and were vested with all the rights and privalages of a choctaw Indian. I am a decendent of Aaron Aston, a common ancestor of us all, and have the same amount of Indian blood as Murrill Astons children I am one Eight-choctow Indian by blood.

I married a white lady. We have three children named May Catherine, Mertha Etta, & Johney.

I am positive that I am a decendant of Aaron Aston and that he was my grand father, and that he was a one half choctow Indian by blood. That moses, Murrill & Tom were his legitimate children, and were one fourth choctow Indian by blood. Murrell Aston was not only my uncle but my brother in law also. I having married his wife's sister. I am also positive that I am one Eight choctow Indian and that my uncle murrells children namely A. Aston, M. Aston, Catherine Aston, Thomas Aston, Julian Aston

from these children will know them
all their lives
Ethel
C A Soaife

Marrell Wooding his X Baker mark

Subscribed and Sworn to before
me this 15 day of aug 1894

Jesse J. Turner
Notary Public

Affidavit of Newt Askew.

My name is Newt Askew, I am 51 years of age, My post office is Willis, Indian Territory. I am one of the applicants for citizenship in the above entitle cause. I was born near Florence Alabama. My Father was Tom Askew. My mother before Marage was Nomea Betty Blassingame. My father was a son of Aaron Askew who claimed to be one half choctaw Indian my father was therefore one Fourth choctaw Indian while my mother claimed to be a white woman. I have often heard my father speak of being an Indian and his intention of coming west and settling with them. I moved to the Indian Territory in 1891. My Father had Two Brothers name Murrell and Mose, whom I knew well. I have been to their houses often and stayed with them. When a boy, I went to see my Father's Father, that is to say my grand father, who was named Aaron Askew. My grand father was a one half choctaw Indian by blood. He looked like an Indian and had the way of an Indian. He claimed to be one half choctaw Indian and was so considered by all who knew him. Neither he nor his ancestors accepted any land

or other property in the way of allotment by
selection, or other wise; nor did he ever
renounce his citizenship in the choctaw Nation,
nor has any of his decendants done so that I
know of Neither I nor my father have.
My uncle Murrell Nelson moved from Alabama to
the Indian Territory a number of years ago
Since I come to the Indian Territory My uncle
Murrells children have proved their right before the
proper authorities and have been enrolled on the
Roll books with all the rights and fribiliges as
a full blood choctaw Indian.

I am a decendant of Aaron Nelson a common
ancester of us all and have the same amount
of Indian blood as Murrell Nelson's children I am
one Eighth choctaw Indian by blood
I Married a white lady in 1866 we have six
children namely, William Howard, May Ella, Henry
Edward, Elizabeth Viola, Dallas Alexander & Roxie
Cordelia, all of who are one sixteenth choctaw Indian
by Blood

Stewt his X mark Nelson

Attest
C A Scaife

Sworn To and Subscribed before me this
the 19 day August 1896

Hall Turner
Notary Public

"Ex B"

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

I, T. B. Needles, a member of the Commission to the Five Civilized Tribes, do hereby certify that the names of Em Askew, B. B. Askew and Tom V. Askew appear upon the final approved roll of the citizens by blood of the Choctaw Nation, opposite Numbers 14240, 14215 and 14230 respectively, and that their enrollment was approved by the Secretary of the Interior on April 11, 1903.

In Testimony Whereof I have hereunto set my hand at Muskogee, Indian Territory, this April 8, 1904.

Commissioner.

"Ex h"

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

I, T. B. Needles, a member of the Commission to the Five Civilized Tribes, do hereby certify that the names of the following persons appear upon the final rolls of the citizens by blood of the Choctaw Nation opposite the numbers herein set forth:

Eliza Alexander, Number 14250

Dora McKenzie, Number 14280

Belle Hendrix, Number 14399

and that their enrollment was approved by the Secretary of the Interior, April 11, 1903.

In Testimony Whereof I have hereunto set my hand at Muskogee, Indian Territory, this April 8, 1904.

Commissioner.

Ex. E' W.O.B.

COMMISSIONERS
TAMS BIXBY
THOS. B. NEEDLES.
THOS. BRECKINRIDGE
WM. O. BEALL,
SECRETARY

ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING
Choctaw 4476

Muskogee, Indian Territory, April 19, 1904.

Thomas Norman,

Attorney at Law,

Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of April 13, asking for a certificate showing the enrollment of the children of Leona Houghton.

In reply to your letter you are advised that, on January 4, 1904, the Commission rendered its decision enrolling Charles L. Houghton, formerly husband of Leona Houghton, as an intermarried citizen of the Choctaw Nation, and his son, Luther Houghton, as a citizen by blood of the Choctaw Nation, but on February 6, 1904, the attorneys for the Choctaw and Chickasaw Nations filed a protest against the action of the Commission in enrolling these applicants, and, on February 12, 1904, the record in this case and the decision of the Commission, together with the protest of the attorneys for the Choctaw and Chickasaw Nations were forwarded to the Secretary of the Interior. The Commission has not yet been informed of the Departmental action thereon and the names of Charles L. Houghton and Luther Houghton have not, therefore, been placed upon schedules of

citizens of the Choctaw Nation and the Commission can not comply with your request for a certificate showing the enrollment of Luther Houghton.

Respectfully,

Chairman.

IN THE MATTER OF THE CLAIM OF William G. Askew et al.

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconsitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer herein says:

There is no proper proof of the marriage of applicant. That their ancestors live in the State of Alabama, and did not become to this country with the Choctaws, nor have they up to this time shown any intention of coming to the Territory or making it their home.

That there is no evidence that this claim has ever been disputed by the Choctaw Nation.

The Choctaw Nation

By Stuart Gordon & Hailey

Its Attorneys.

Muskogee, Indian Territory, April 13, 1906.

Mr. Thomas Norwood,

Attorney at Law,

Ardmore, Indian Territory,

Dear Sir:

The Commission is in receipt of your letter of April 7, inclosing an application for enrollment as a citizen of the Choctaw Nation of Alpha Marie Hefner, the infant daughter of Viola Hefner and Joe Hefner, and the same has been duly filed with the records of this Commission.

Yours truly,

Acting Chairman.

In replying to this letter,
please refer to Choctaw 5290

Muskogee, Indian Territory, April 11, 1904.

Thomas Norman,
Attorney at Law,
Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 9th instant enclosing the application for enrollment as a citizen of the Choctaw Nation of Julius Edward Askew, infant son of W. H. and Tavia Askew, born March 2, 1903, and the fees being in proper form has been duly filed with the records of the Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

Receipt is also acknowledged of the marriage license and certificate between W. H. Askew, and Tavia Wheat and the same has been duly filed with the records of the Commission in the matter of the application for enrollment as a citizen of the Choctaw Nation of the infant child, Julius Edward Askew.

In transmitting the marriage license and certificate between W. H. Askew and Tavia Wheat you request to be advised whether upon receipt of the same, the Commission will

list Tavia Abbey for enrollment as a citizen by intermarriage of the Choctaw Nation or whether it will be necessary for her to appear in person to make such application.

You are informed that the rules of the Commission require all persons who desire to make application for enrollment as citizens by intermarriage to appear in person before the Commission for the purpose of an examination under oath.

Such application may be made at the office of the Commission at Muskogee, Indian Territory at any time prior to the closing of the final rolls of the citizens of the Choctaw Nation. It is suggested however that if Tavia Abbey desires to make application for enrollment as a citizen by intermarriage of the Choctaw Nation she should do so as early in the near future as practicable.

Yours truly,

Commissioner in Charge.

Muskogee, Indian Territory, April 26, 1902.

Thomas Norman,

Attorney at Law,

Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 23rd instant enclosing the application for enrollment as a citizen of the Choctaw Nation of Nancy Ann Hefner, infant daughter of Joe and Viola Elizabeth Hefner, born August 25, 1901, and the same being in proper form has been duly filed with the records of the Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Commissioner in Charge.

D.C. 10114-1906.
I.T.D. 4058-1906.
L.R.S.

DEPARTMENT OF THE INTERIOR, J.P. THE.

WASHINGTON. March 12, 1906.

The Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:

The application of Newt Askew, et al., for enrollment as citizens of the Choctaw Nation, and the papers attached thereto, in regard to which you made report January 15, 1906, are returned herewith for the files of your office.

The local attorney who filed these papers has been advised in accordance with the suggestion contained in your letter.

Your report was submitted with Indian Office letter of March 7, 1906 (land 5813-06), a copy of which has been sent said local attorney.

Respectfully,

Thos. Ryan,

First Assistant Secretary.

Through the Commissioner of Indian Affairs.

NEW BORN ✓

190

IN RE

Application for Enrollment of

MINOR CHILD

Act of Congress Approved
April 26, 1906.

Minnie M. Hefner

as a citizen of

Choctaw Nation.

Approved..... 190...

.....

Commissioner.

Born Aug. 25 1901

ACT OF CONGRESS APPROVED APRIL 26, 1906

DEPARTMENT OF THE INTERIOR
COMMISSION [illegible]

AUG 13 1906

Sent [illegible] Roll
7-5-200

CHOCTAW
5200

RECEIVED
JUL 19 1906

BIRTH AFFIDAVIT 199

DEPARTMENT OF THE INTERIOR.

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

ENROLLMENT OF MINORS. ACT OF CONGRESS, APPROVED APRIL 26, 1906.

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Cherokee Nation,
of Annie Heffner, born on the 25th day of August 1901.
[Here insert name of child]
Name of Father: Joe H Heffner a citizen of the U. S. Nation.
Name of Mother: Viola Heffner a citizen of the Cherokee Nation.
Tribal enrollment of father U S Tribal enrollment of mother Cherokee
Postoffice Wilbs I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, Indian Territory,
Southern District.
I, Viola Heffner, on oath state that I am 25 years of age and a citizen by blood of the Cherokee Nation; that I am the lawful wife of Joe H Heffner, who is a citizen, by marriage of the Cherokee Nation; that a female [Male or Female] child was born to me on 25th day of August 1901.; that said child has been named Annie Heffner, and was living March 4, 1906.

Viola E. Huber

WITNESSES TO MARK:

[Must be Two Witnesses]

Subscribed and sworn to before me this 30th day of June 1906.

C. H. Thomas
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN OR MID-WIFE.

UNITED STATES OF AMERICA, Indian Territory,
Southern District.
I, C. W. Rowland, a Physician on oath state that I attended on Viola Heffner wife of Joe H Heffner on the 25th day of August 1901.; that there was born to her on said date a female [Male or Female] child; that said child was living March 4, 1906, and is said to have been named Annie Heffner

C. W. Rowland

WITNESSES TO MARK:

[Must be Two witnesses]

Subscribed and sworn to before me this 30th day of June 1906.

C. H. Thomas
Notary Public.

NEW CORN

190

IN RE

Application for Enrollment of

MINOR CHILD

Act of Congress Approved
April 26, 1906.

Alpha M. Heffner

as a citizen of

Choctaw Nation.

Approved..... 190...

.....

Commissioner.

Bow Mar 1 1900

ACT OF CONGRESS APPROVED APRIL 26, 1906.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

AUG 13 1906

COMMISSIONER.

Duplicate 7 Nov
0207-5200

CHOCTAW

5200

RECEIVED
JUL 19 1906

BIRTH AFFIDAVIT

199

DEPARTMENT OF THE INTERIOR,

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

ENROLLMENT OF MINORS. ACT OF CONGRESS, APPROVED APRIL 26, 1906.

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Chickasaw Nation, of Alpha M. Hefner [Here insert name of child], born on the 1st day of March 1906

Name of Father: Joe H. Hefner a citizen of the U. S. Nation.

Name of Mother: Viola E. Hefner a citizen of the Chickasaw Nation.

Tribal enrollment of father U. S., Tribal enrollment of mother Chickasaw

Postoffice Willis I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, Indian Territory, Southern District.

I, Viola E. Hefner, on oath state that I am 25 years of age and a citizen by blood of the Chickasaw Nation; that I am the lawful wife of Joe H. Hefner, who is a citizen, by marriage of the Chickasaw Nation; that a female [Male or Female] child was born to me on the 1st day of March 1906; that said child has been named Alpha M. Hefner and was living March 4, 1906.

Viola E. Hefner

WITNESSES TO MARK:

[Must be Two Witnesses]

Subscribed and sworn to before me this 30th day of June 1906.

C. H. Thomas
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN OR MID-WIFE.

UNITED STATES OF AMERICA, Indian Territory, Southern District.

I, C. B. Martin, a Physician, on oath state that I attended on Viola Hefner, wife of Joe H. Hefner on the 1st day of March 1906; that there was born to her on said date a female [Male or Female] child; that said child was living March 4, 1906, and is said to have been named Alpha M. Hefner

C. B. Martin, M. D.

WITNESSES TO MARK:

[Must be Two witnesses]

Subscribed and sworn to before me this 3rd day of July 1906.

C. H. Thomas
Notary Public.

7-5200

Muskogee, Indian Territory, July 1, 1905.

Thomas Norman,
Attorney at Law,
Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of June 15, 1905, addressed to the Secretary of the Interior which has been by him referred to this office for consideration and appropriate action. Therein you inclose the petition of Newt Askew et al., for enrollment as citizens of the Choctaw Nation and state that these people are found on the list of court claimants, but that if their rights are investigated their claims will undoubtedly be confirmed.

The petition inclosed with your letter is herewith returned and you are advised that the persons referred to on said petition were on September 19, 1904, denied by the Choctaw and Chickasaw Citizenship Court and this office can take no action in cases of this character except by specific directions of the Secretary of the Interior.

Respectfully,

MB 7-1

Commissioner.

9-8306

Muskogee, Indian Territory, August 28, 1905.

Thomas Norman,
Attorney at Law.
Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of July 3, 1905, relative to the application of Newt Askew et al., for enrollment as citizens of the Choctaw Nation; you state therein that you are in receipt of a letter from the Secretary of the Interior informing you that a petition in this case had been referred to this office for appropriate action.

In reply to your letter you are advised that it does not appear from the records of this office that the petition in the matter of the application of Newt Askew et al., for enrollment as citizens of the Choctaw Nation has yet been received from the Department for report and recommendation, but when the same is received this office will take further action in the case in accordance with Departmental instructions.

Respectfully,

Commissioner.

[illegible]

Muskogee, Indian Territory, September 5, 1906.

Thomas Norman,
Attorney at Law,
Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of August 29th, transmitting a copy of a petition directed to the President of the United States and a brief in reference to the right to enrollment as citizens of the Choctaw Nation of Newt Askew, et al.

The question of the jurisdiction of the Commissioner to the Five Civilized Tribes to consider the applications for enrollment of persons who were denied by the decrees of the Choctaw and Chickasaw Citizenship Court is now pending before the Secretary of the Interior in the case of Lula West, and in the absence of any specific directions in reference to the adjudication of such cases, this office cannot at this time consider the petition transmitted by you. The same has, however, been filed with the records in the matter of the application of Newt Askew, et al., for enrollment as citizens of the Choctaw Nation, and in the event that this office is directed to reconsider cases of this character, you will be advised thereof and permitted to introduce such testimony as you may desire.

Respectfully,

[illegible] Commissioner

7-8200

COPY.

Muskogee, Indian Territory, January 15, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

I am in receipt by reference from the Department for report and recommendation, of a letter of Chester Howe, attorney at law, of Washington, D. C., dated December 23, 1905, in which he requests that a report be called for in the Choctaw enrollment case of Newt Askew, et al., which was referred by the Department to the Commissioner to the Five Civilized Tribes for appropriate action, on August 28, 1905. Mr. Howe states that he is unofficially advised that one of the employes of the Commissioner to the Five Civilized Tribes has intimated that "appropriate action" in this case meant no action.

I have the honor to report that under date of June 22, 1905, the Department referred, by stamp, to the Commission to the Five Civilized Tribes for consideration and appropriate action, a letter of Thos. Norman, attorney at law, Ardmore, Indian Territory, dated June 15, 1905, and addressed to the Secretary of the Interior, enclosing an application of Newt Askew and others for enrollment as citizens of the Choctaw Nation.

July 1, 1905, the petition or application transmitted by Mr. Norman in his letter of June 15, 1905, was returned to him and he was informed that as the petitioners had been denied citizenship by a decree of the Choctaw and Chickasaw Citizenship Court September 19, 1904, this office was without authority to take any further action in reference to their enrollment as citizens of the Choctaw Nation, except under specific directions from the Secretary of the Interior.

August 29, 1905, Mr. Norman returned to this office the petition referred to, with a short brief in reference to the right to enrollment of Newt Askew, et al., as citizens of the Choctaw Nation. He was advised in reference thereto on September 5, 1905, as follows:

> "The question of the jurisdiction of the Commissioner to the Five Civilized Tribes to consider the applications for the enrollment of persons who were denied by decrees of the Choctaw and Chickasaw citizenship court is now pending before the Secretary of the Interior in the case of Leula West, et al., and in the absence of any specific direction in reference to the adjudication of such cases, this office cannot at this time consider the petition transmitted by you."
>
> "The same has, however, been filed with the records in the matter of the application of Newt Askew, et al., for enrollment as citizens of the Choctaw Nation and in the event that this office is directed to reconsider cases of this character, you will be advised thereof and permitted to introduce such testimony as you may desire."

I presume that the letter of Chester Howe, of December 23, 1905, was instigated by Mr. Norman.

For some time past, and prior to the rendition of the opinion of the Assistant Attorney General for the Department of December 8, 1906, in the Loula West case, Mr.Norman has been insisting that I permit him to introduce the testimony of applicants who had been denied by decrees of the Choctaw and Chickasaw citizenship court and proceed immediately to a readjudication of their rights to enrollment as citizens of the Choctaw and Chickasaw Nations.

I have time and again informed Mr. Norman that while the Loula West case was pending before the Department I considered this office without jurisdiction to take any action whatsoever in reference to the rights to enrollment of persons who had been denied by decrees of the Choctaw and Chickasaw citizenship court.

The Department has during the past year referred to this office for consideration and appropriate action several petitions submitted by Mr. Norman. He has upon the occasion of his personal visits to this office insisted that the cases so referred be immediately considered and that reports thereon be submitted in conformity with the Department's instructions.

Mr. Norman seems to be laboring under the erroneous impression that matters referred to this office by the Department for "consideration and appropriate action" are in the nature of orders to the Commissioner to take action in conformity with Mr. Norman's views.

As to the statement made by Mr. Howe that an employe of this office has intimated that "appropriate action" in the Askew case meant no action, while I have no personal recollection of the matter, Mr. Norman was undoubtedly personally advised in reference to the petition as he was in my letter of September 5, 1905.

Since the rendition by the Assistant Attorney General of his opinion of December 8, 1905, in the Loula West case, Mr. Norman personally visited this office on December 29, 1905, and insisted that the Commissioner at once take up the petition filed by him in the Newt Askew case. He was informed at the time that no procedure had been adopted in reference to the cases of persons claiming a hearing under the opinion of the Department in the Loula West case, but that the matter was then receiving consideration and a definite plan of action would be adopted within a few days.

Mr. Norman was on January 2, 1906, furnished a copy of the procedure adopted by the Commissioner on that date in reference to the method to be followed in the cases of applicants coming under the opinion of the Assistant Attorney General in the Loula West case.

I have the honor with the return of Mr. Howe's letter to transmit herewith the petition which was originally referred to this office by the Department on June 22, 1905, and the brief that was submitted by Mr. Norman, August 29, 1905.

Neither Mr. Howe or Mr. Norman are being deprived of any privilege and the instructions of the Department have been complied with in reference to the Newt Askew case.

If Newt Askew and the other persons who were denied citizenship in the Choctaw Nation by the decree of the Choctaw and Chickasaw Citizenship Court September 19, 1904, in Tishomingo case No. 1, claim a right to a hearing under the opinion of the Assistant Attorney General of December 8, 1905, in the Loula West case, a method is now open to them as fully set forth in my circular letter of January 2, 1906.

Respectfully,

SIGNED Tams Bixby.

Commissioner.

Through the
Commissioner of Indian Affairs.

BPS 16/1.

D.C. 10114-1906.
I.T.D. 4058-1906.
L.R.S.

DEPARTMENT OF THE INTERIOR, J.P. FMH.

WASHINGTON. March 12, 1906.

The Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:

The application of Newt Askew, et al., for enrollment as citizens of the Choctaw Nation, and the papers attached thereto, in regard to which you made report January 15, 1906, are returned herewith for the files of your office.

The local attorney who filed these papers has been advised in accordance with the suggestion contained in your letter.

Your report was submitted with Indian Office letter of March 7, 1906 (land 5813-06), a copy of which has been sent said local attorney.

Respectfully,

Thos. Ryan,

First Assistant Secretary.

Through the Commissioner of Indian Affairs.

COPY

[illegible]

Muskogee, Indian Territory, March 15, 1906.

Thomas Gorman,

Ardmore, Indian Territory.

Dear Sir:-

Receipt is hereby acknowledged of a petition filed by you on March 14, 1906, for the enrollment of Newt Askew, et al, as citizens of the Choctaw Nation.

You will be advised of any action taken by this office on said petition.

Respectfully,

SIGNED Wm. O. Beall

Acting Commissioner.

Copy.

Muskogee, Indian Territory, October 24, 1906.

The Honorable,

The Secretary of the Interior,

Sir:

I have the honor to transmit herewith the record before the Commission to the Five Civilized Tribes and its successor in the matter of the application for the enrollment of Newt Askew, et al., as citizens of the Choctaw Nation, with my decision of October 23, 1906, denying a petition filed with this office by Thomas Norman, attorney at law, Ardmore, Indian Territory, on March 14, 1906, praying for the enrollment of Newt Askew, et al., as citizens of the Choctaw Nation.

This petition was filed under the opinion of the Assistant Attorney General for the Department of the Interior of December 8, 1905 (I.T.D. 3693-1905), in the Loula West case.

The majority of the persons named in the petition submitted by Mr. Norman were denied citizenship in the Choctaw Nation by decrees of the Choctaw and Chickasaw Citizenship Court.

While it is not claimed that the petitioners in question were ever recognized and enrolled by the tribal authorities as citizens of the Choctaw Nation, it is insisted that they are entitled to enrollment by reason of the fact that certain of their co-relatives

have been duly enrolled as citizens of the Choctaw Nation.

I also enclose for the consideration of the Department in connection with the contention of the petitioners, a brief filed with this office on October 1, 1906, by Thomas Norman, Gross, Gross & Blackmore and Chester Howe, attorneys for the petitioners.

This case was the subject of my report of January 15, 1906, to the Department and of Departmental letter of March 18, 1906, (I.T. D 4088-1906).

There is also enclosed herewith the original petition directed to the President of the United States and the Secretary of the Interior, which was originally filed with the Department June 20, 1906. The case was also the subject of Departmental letter of October 15, 1906 (I.T.D. 18775-1906), enclosing for report a letter of Chester Howe, attorney at law, Washington, D. C., dated October 10, 1906, and addressed to the Department, requesting that the Commissioner to the Five Civilized Tribes be directed to pass upon the case at the earliest practicable date, to the end that a final decision may be secured upon the questions raised.

I have the honor to further report that the principal petitioners have been advised of the action taken by me on October 23, 1906, and that their attorneys and the attorneys for the Choctaw and Chickasaw Nations have been furnished with a copy of my decision of that date.

Respectfully,

Signed Tams Bixby

Commissioner.

Through the Commissioner of Indian Affairs.

OP 24-5

J.F.Jr.
S.P.

DEPARTMENT OF THE INTERIOR,

WASHINGTON.

D.C. 13069-1907.
I.T.D. 7656-1907.

March 4, 1907.

L.E.S.

DIRECT.

Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:

On March 1, 1907 (Land 94456-06), the Indian Office transmitted your report, dated October 24, 1906, together with the record of proceedings before the Commission to the Five Civilized Tribes and yourself in the matter of the application for the enrollment of Newt Askew, et al., together with your decision of October 23, 1906, denying a petition filed by the attorneys for the applicants praying for the enrollment of said Newt Askew, et al., as citizens of the Choctaw Nation.

The Indian Office concurs in your decision. A copy of its letter is inclosed.

In view of the opinion of the Attorney General of the United States, dated February 19, 1907, in the cases of Myrtle Randolph and W. J. Thompson, it appears that your decision was correct and it is hereby affirmed.

The papers in the case, together with a carbon copy hereof, have been sent to the Indian Office.

Respectfully,
(Signed) E. A. Hitchcock,
Secretary.

1 inc. and
5 to Ind. Of.

W.G.F. 3/4/07.

Refer in Reply to the following:

Land.
96486-1906.

(COPY)

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON. March 1, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to invite your attention to the enclosed letter of October 24, 1906, from Tams Bixby, Commissioner to the Five Civilized Tribes, who transmits the record in the matter of the application for the enrollment of Newt Askew et al. as citizens of the Choctaw Nation, with his decision of October 23, 1906, denying a petition filed in his office by Thomas Norman, an attorney of Ardmore, Indian Territory, on March 14, 1906, praying for the enrollment of the parties. The petition of Mr. Norman was filed in view of the opinion of the Assistant Attorney General for the Department of the Interior of December 8, 1905 (I.T.D. 3693-1905), in the Loula West case. The Commissioner in his decision of October 23, 1906, found that it does not appear from the records in his possession that any of the applicants has ever been recognized or enrolled as a citizen of the Choctaw Nation by a duly constituted authority; that the names of none of the applicants appear on any of the tribal rolls of the nation in his possession; that he was of opinion that inasmuch as it does not appear from the record in the case or from the records in his possession that any of the applicants who applied to the Commission to the Five Civilized Tribes in 1896 possessed any tribal status as citizens of the

Choctaw Nation, the Commission had jurisdiction to pass on their rights as citizens of the nation and that he was accordingly without authority to take any action looking to their enrollment as citizens of the nation, and that the petition, in so far as it relates to the applicants, should be dismissed, and he so ordered.

He was further of opinion that as to those persons whose applications were dismissed for the reason that they failed to appeal to the Choctaw-Chickasaw Citizenship Court, or for the reason that their parents had been denied by decree of that court, the dismissals should be affirmed, and the petition, so far as it relates to the applicants, should be dismissed, and so ordered.

In view of the opinion of the Attorney General of the United States of February 19, 1907, wherein he discussed the cases of Myrtle Randolph and W. J. Thompson, her brother, as well as the case of Loula West, and in which he held that the parties who were the subject of his discussion were not entitled to enrollment, and as the principle laid down must also control in this case, it is evident that the decision of the Commissioner herein should be approved, and it is so recommended.

Very respectfully,

C. F. Larrabee,

Acting Commissioner.

RBH-Y.

Chas Carl John Gaines

Deceased

Notices and decision in 25200

See Petition #C105

C- 105
7-5073
5074
5106
5122
5123
5196
5197
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5201
5214

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Newt Askew, et al., as citizens of the Choctaw Nation.

D E C I S I O N.

It appears from the record herein and from the records in the possession of the Commissioner to the Five Civilized Tribes that application was made to the Commission to the Five Civilized Tribes at Ardmore, Indian Territory, September 23, 1898, by Newt Askew, for the enrollment of himself, his wife, Nancy L. Askew, William H. Askew, Henry E. Askew, Elizabeth V. Askew, Dallas A. Askew and Roxy C. Askew, children of said Newt Askew and Nancy . Askew, as citizens by blood of the Choctaw Nation; that on April 10, 1900, written application was made for the enrollment of Alpha Marie Hefner as a citizen by blood of the Choctaw Nation; that on April 11, 1902, written application was made for the enrollment of Julius Edward Askew as a citizen by blood of the Choctaw Nation; that on April 25, 1902, written application was made for the enrollment of Nancy Ann Hefner as a citizen by blood of the Choctaw Nation; that application was made by William Q. Askew at Ardmore, Indian Territory, September 22, 1898, for the enrollment of himself and minor children, Mattie Askew, Ellen Askew, and Tom Askew as citizens by blood of the Choctaw Nation, and for the enrollment of his wife, Martha Askew, as a citizen by intermarriage of said nation; that application was made by Rebecca Askew, at Ardmore, Indian Territory, September 23, 1898, for the enrollment of herself as a citizen by blood of the Choctaw Nation; that application was made by William T. Askew at Ardmore, Indian Territory, September 22, 1898, for the enrollment of himself and minor children, Thane Askew, Perry Askew, Tommy Askew, Lillie Askew, Gilbert Askew and Lizzie Askew as citizens by blood of the Choctaw Nation, and for the enrollment of his wife, Bettie Askew, as a citizen by intermarriage of said nation; that on October 13, 1900, written application was made for the enrollment of Ethel Askew, minor daughter of said William T. Askew and Bettie Askew, as a citizen by blood of the Choctaw Nation; that on August 16, 1902, written application was made for the enrollment of Robert Askew, minor son of the said William T. Askew and Bettie Askew, as a citizen by blood of the Choctaw Nation; that on November 30, 1901, written application was made for the enrollment as a citizen by blood of the Choctaw Nation of Robert Floy Shipman, minor child of Thane Shipman (nee Askew), by her husband, T. D. Shipman; that application was made by Mary E. Jackson at Ardmore, Indian Territory, September 23, 1898, for the enrollment of herself and her minor children, Taylor F. Jackson, Alma Jackson, Charley Jackson, Roscoe

Jackson and Ethel Jackson, as citizens by blood of the Choctaw Nation; that application was made by Mary C. Brewer at Ardmore, Indian Territory, September 23, 1898, for the enrollment of herself and minor children, Emma Brewer and Elmer Brewer, as citizens by blood of the Choctaw Nation; that on December 18, 1898, written application was made for the enrollment of the applicant, Mary B. Brewer, minor daughter of said Mary C. Brewer and G. F. Brewer, as a citizen by blood of the Choctaw Nation; that application was made by George W. Askew at Ardmore, Indian Territory, September 22, 1898, for the enrollment of himself and minor children, Sophia Askew and Alice Askew, as citizens by blood of the Choctaw Nation, and for the enrollment of his wife, Dora Askew, as a citizen by intermarriage of said nation; that application was made by Martha E. Turner at Ardmore, Indian Territory, September 23, 1898, for the enrollment of herself as a citizen by blood of the Choctaw Nation; that application was made by Sam Askew at Ardmore, Indian Indian Territory, September 23, 1898, for the enrollment of himself as a citizen by blood of the Choctaw Nation, and for the enrollment of his wife, Lena Askew, as a citizen by intermarriage of said nation; that on March 20, 1900, written application was made for the enrollment of Frankie Beatrice Askew, minor daughter of Sam Askew and Lena Askew, as a citizen by blood of the Choctaw Nation; that on April 2, 1901, written application was made for the enrollment of Lee Askew, minor son of Sam Askew and Lena Askew, as a citizen by blood of the Choctaw Nation; that application was made by John Askew at Ardmore, Indian Territory, September 23, 1898, for the enrollment of himself as a citizen by blood of the Choctaw Nation.

It further appears from the records in the possession of the Commissioner to the Five Civilized Tribes that the applicants, William Q. Askew, William T. Askew, George W. Askew, Sam Askew, Martha Askew, Mattie Askew, Ellen Askew, Tom Askew, Bettie Askew, Thane Askew, Perry Askew, Tommy Askew, Lillie Askew, Gilbert Askew, Lizzie Askew, Dora Askew and Sophia Askew were applicants to the Commission to the Five Civilized Tribes for admission to citizenship in the Choctaw Nation under the provisions of the Act of Congress approved June 10, 1896, (29 Stats., 321); that they were denied such admission by a decision of the Commission of December 1, 1896 (1896 Choctaw Citizenship Case No. 1); that from this decision an appeal was taken to the United States Court for the Southern District of Indian Territory, which Court on December 21, 1897,) in the case entitled "William Q. Askew, et al., vs. Choctaw Nation", rendered a judgment reversing the decision of the Commission to the Five Civilized Tribes as to the applicants, and admitted all of said applicants to citizenship in the Choctaw Nation, except Martha Askew, Bettie Askew and Dora Askew. On March 12, 1898, said Court rendered a supplemental decision in said case, admitting said Martha Askew, Bettie Askew and Dora Askew to citizenship in the Choctaw Nation.

These judgments were subsequently vacated, set aside, and held for naught by a decree of the Choctaw and Chickasaw Citizenship Court on December 17, 1902, in the test case of "Choctaw and Chickasaw Nations, or Tribes, vs. J. T. Riddle, et al."

Said cause was subsequently certified to the Choctaw and Chickasaw Citizenship Court, created by the Act of Congress approved July 1, 1902 (32 Stats., 641), for a trial de novo, and on September 19, 1904, said Citizenship Court in the case entitled "William Quint Askew, et al., vs. Choctaw and Chickasaw Nations" (Choctaw-Chickasaw Citizenship Court Case No. 2, Tishomingo Docket), rendered a judgment therein, wherein it was "ordered, adjudged and decreed that the petition of the plaintiffs, William Quint Askew, Martha Askew, Mattie Askew, Ellen Askew, Tom Askew, William Thomas Askew, Bettie Askew, Perry Askew, Tommie Askew or Tommy Askew, Lily Askew or Lillie Askew, Gilbert Askew, Lizzie Askew, Thane Shipman, or Thane Askew, George Washington Askew, Dora Askew, Sophia Askew and Sam Askew be denied, and that they be declared not citizens of the Choctaw Nation and not entitled to enrollment as such citizens and not entitled to any rights whatever flowing therefrom."

It further appears from the records in the possession of the Commissioner to the Five Civilized Tribes that under the provisions of the Act of Congress approved June 10, 1896 (29 Stats., 321), application was made to the Commission to the Five Civilized Tribes for admission to citizenship in the Choctaw Nation of the following named persons: Rebecca Askew, Johnnie Askew, Newton Askew, Nancy Maliney Askew, William Howard Askew, Henry Edward Askew, Elizabeth Viola Askew, Dallas Alexander Askew, Roxie Cordelia Askew, Mrs. May Catherine Brewer, George Brewer, Elma Brewer, Emma Brewer, Mrs. Mary Ellen Jackson, Tom Jackson, Taylor Franklin Jackson, Almer Jackson, Charlie Jackson, Roscoe Jackson, Mrs. Martha Etta Turner and Marshall A. Turner. All of said applicants were denied admission to citizenship in the Choctaw Nation by a judgment of the Commission on December 1, 1896 (1896 Choctaw Citizenship Case No. 2).

Said cause was subsequently appealed to the United States Court for the Southern District of Indian Territory, which Court on December 21, 1897, reversed the decision of the Commission to the Five Civilized Tribes as to certain of the applicants, and admitted the following as citizens of the Choctaw Nation: John Askew, Newt Askew, William Howard Askew, Henry Edward Askew, Elizabeth Viola Askew, Dallas Alexander Askew, Roxie Cordelia Askew, Mrs. Rebecca Askew, Mrs. Nancy Melinda Askew, Mrs. May Catherine Brewer, Emma Brewer, Elmer Brewer, Mary Ellan Jackson, Taylor Franklin Jackson, Alma Jackson, Charlie Jackson, Roscoe Jackson and Mrs. Martha Etta Turner. In addition thereto the judgment of the Court recited "It further appears that exceptions have been filed to that part of the Master's Report relating to George Brewer, Marshall Turner and Tom Jackson, and it is hereby ordered that this cause stand open as to these three parties, so that said exceptions may be considered hereafter".

Said judgment was subsequently vacated, set aside, and held for naught by a decree of the Choctaw and Chickasaw Citizenship Court of December 17, 1902, in the test case of "Choctaw and Chickasaw Nations, or Tribes, vs. J. T. Riddle et al."

Said cause as to certain of the applicatns was subsequently certified to the Choctaw and Chickasaw Citizenship Court, created under the act of Congress approved July 1, 1902 (32 Stats., 641), for a trial de novo, and on September 19, 1904, in the case entitled "Newt Askew, et al., vs. Choctaw and Chickasaw Nations" (Choctaw-Chickasaw Citizenship Court Case No. 1, Tishomingo Docket),

rendered a judgment therein, wherein it was "ordered, adjudged and decreed that the petition of the plaintiffs, Newt Askew, Nancy Malinda Askew, William Howard Askew, Dallas Alexander Askew, Henry Edward Askew, Roxie Cordelia Carter (nee Askew), or Roxie Cordelia Askew, Jennie Askew, or John Askew, Mary Catherine Brewer, or May Catherine Brewer, Emma Brewer, Elmer Brewer, Mary Ellen Jackson, Taylor Franklin Jackson, Alma Jackson, Charlie Jackson, Roscoe Jackson, Elizabeth Viola Hefner (nee Askew), or Elizabeth Viola Askew, and Rebecca Askew be denied, and that they be declared not citizens of the Choctaw Nation, and not entitled to enrollment as such citizens and not entitled to any rights whatever flowing therefrom."

On November 12, 1904, the Commission to the Five Civilized Tribes issued orders dismissing the applications for the enrollment of Alpha Marie Hefner, Nancy Ann Hefner, Julius Edward Askew, Mary B. Brewer, Lena Askew, Frankie Beatrice Askew, Lee Askew, Alice Askew, Ethel Askew, Robert Askew, Robert Floy Shipman, and Ethel Jackson, for the reason that the persons through whom they claimed the right to enrollment had been denied citizenship by the Choctaw and Chickasaw Citizenship Court.

On December 3, 1904, the Commission to the Five Civilized Tribes issued an order dismissing the application for the enrollment of Martha E. Turner as a citizen by blood of the Choctaw Nation in accordance with the opinion of the Acting Attorney General dated May 9, 1904 (I.T.D. 3824-1904), and the opinion of the Assistant Attorney General for the Department of the Interior dated July 30, 1904 (I.T.D. 5246-1904).

Under the regulations adopted by the Commissioner to the Five Civilized Tribes January 2, 1906, there was filed on March 14, 1906, by Thomas Norman, attorney for the petitioners, a petition praying for the enrollment of the following persons as citizens of the Choctaw Nation: Newt Askew, Nancy Malinda Askew, John Askew, Dallas Alexander Askew, Carrie Margarette Askew, Roxie Cordelia Carter (nee Askew), Marshall Turner, Mary Ellen Jackson, Tom Jackson Taylor Jackson, Alma Jackson, Charley Jackson, Roscoe Jackson, Ethel Jackson, Viola Elizabeth Hefner, Joe Hefner, Alpha Marie Hefner, Nancy Ann Hefner, Mary Catherine Brewer, George Brewer, Emma Narcissus Brewer, Elmer Washington Brewer, Mary Belle Brewer, William Howard Askew, Tavia Askew, Julius Edward Askew, Henry Edward Askew, Rebecca Askew, William Quint Askew, Martha Askew, Mattie Askew, Ellen Askew, Tom Askew, William Thomas Askew, Bettie Askew, Perry Askew, Tom Askew, Lillie Askew, Gilbert Askew, Lizzie Askew, Ethel Askew, Robert Askew, Thaney Shipman, Floy Shipman, George Washington Askew, Dora Anderson Askew, Sophia Askew, Alice Askew, Sam Askew, Lena Askew and Leo Askew.

It is alleged in the petition that the petitioners are Choctaw descendants of Choctaw ancestry; that they took up a residence in the Indian Territory between the years 1880 and 1890, and have continued to reside in either the Choctaw or Chickasaw Nation since that time; that they claimed before and after their removal to said nations to be citizens of the Choctaw Nation by virtue of their Choctaw blood and Choctaw descent; that all their

kinsfolk on Choctaw Indian side of the family, or a great many of them, are on the roll as citizens of the Choctaw Nation, that they have taken their allotment of lands and drawn their share of moneys thereof, and that their enrollment has long since been approved by the Secretary of the Interior.

The petitioners further state that among other children, an old half-blood Choctaw Indian, named Aaron Askew, had three children, two boys named Murrill and Tom, and one girl named Elizabeth, or Betty, who married a man named Douglas; that the United States Indian Agent rendered a decision about 1890, which was approved by the Choctaw Council, in which he adjudged the children of Murrill Askew to be citizens of the Choctaw Nation, all of whom are now on the approved roll of Choctaws; that in 1896 the Commission to the Five Civilized Tribes rendered a decision that the children of Elizabeth Douglas were citizens of the Choctaw Nation, and from this decision no appeal was taken; that all of said children are on the approved Choctaw rolls; that the petitioners herein are the legitimate descendants of the other brother named Tom Askew, and that they as well as the descendants of the said Murrill Askew and Elizabeth Douglas (nee Askew) are citizens of said nation.

On July 19, 1906, written applications were made to the Commissioner to the Five Civilized Tribes for the enrollment of the following persons as citizens by blood of the Choctaw Nation, under the provisions of the Act of Congress approved April 26, 1906 (34 Stats., 137): Carl Hefner, born February 23, 1906, minor child of Joe H. Hefner and Viola Hefner; Perry Q. Askew, born June 4, 1903, minor child of George W. Askew and Dora A. Askew; Oscar G. Askew, born December 22, 1902, and Vernic Askew, born July 11, 1905, minor children of Dallas A. Askew and Carrie M. Askew; Violet Askew, born September 25, 1904, minor child of William H. Askew and Octavia W. Askew; Arthur W. Carter, born January 16, 1904, minor son of Charles Carter and Roxy C. Carter; and Roy Shipman, born August 12, 1905, minor child of Tom Shipman and Thanie Shipman. April 26, 1906, written application was made for the enrollment of Vera Shipman, born September 29, 1903, minor child of Thanie Shipman and T. D. Shipman, as a citizen by blood of the Choctaw Nation.

It does not appear from the records in the possession of the Commissioner to the Five Civilized Tribes that any of the applicants has ever been recognized or enrolled as a citizen of the Choctaw Nation by any duly constituted authority.

The names of none of said applicants appear upon any of the tribal rolls of the Choctaw Nation in the possession of the Commissioner to the Five Civilized Tribes.

I am of the opinion that inasmuch as it does not appear from the record herein or from the records in the possession of this office that any of the applicants who applied to the Commission to the Five Civilized Tribes in 1896 possessed any tribal status as citizens of the Choctaw Nation, said Commission had jurisdiction to pass upon their rights as citizens of said nation, and I am without authority to take any action looking to their enrollment as citizens of said nation, and that the petition in so far as it relates to said applicants should be dismissed, and it is so ordered.

I am further of the opinion that as to those persons whose applications were dismissed for the reason that they failed to appeal to the Choctaw and Chickasaw Citizenship Court, or for the reason that their parents had been denied by a decree of said court, said dismissals should be affirmed, and the petition in so far as it relates to said applicants should be dismissed, and it is so ordered.

Tams Bixby
Commissioner.

Muskogee, Indian Territory,
Oct. 28, 1904.

7-8201

Muskogee, Indian Territory, October 23, 1906.

John Askew,

Powell, Indian Territory.

Dear Sir:

You are hereby notified that the Commissioner to the Five Civilized Tribes, on October 23, 1906, rendered his decision, dismissing the application and petition for your enrollment as a citizen by blood of the Choctaw Nation.

The decision, with the record of proceedings in the case, is t is day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Tams Bixby

Commissioner.

Registered.

C-108
7-5200 et al

Muskogee, Indian Territory, October 23, 1906.

COPY.

Thomas Norman,

Attorney at Law,

Ardmore, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered October 23, 1906, dismissing the application and petition for the enrollment of Newt Askew, Nancy M. Askew, Henry E. Askew, William H. Askew, Elizabeth V. Askew, Dallas A. Askew, Roxy C. Askew, Alpha Marie Hefner, Julius Edward Askew, Nancy Ann Hefner, William Q. Askew, Mattie Askew, Ellen Askew, Tom Askew, Rebecca Askew, William T. Askew, Thane Askew, Perry Askew, Tommy Askew, Lillie Askew, Gilbert Askew, Lizzie Askew, Ethel Askew, Robert Floy Shipman, Robert Askew, Mary E. Jackson, Taylor F. Jackson, Alma Jackson, Charley Jackson, Rosece Jackson, Ethel Jackson, Mary C. Brewer, Emma Brewer, Elmer Brewer, Mary R. Brewer, George W. Askew, Sophia Askew, Alice Askew, Martha E. Turner, Sam Askew, Frankie Beatrice Askew, Leo Askew and John Askew, as citizens by blood of the Choctaw Nation, and the application and petition for the enrollment of Martha Askew, Bettie Askew, Lena Askew and Dora Askew as citizens by intermarriage of said nation, and denying the application for the enrollment of Carl Hefner, Perry

T. M. - - 26.

Q. Askew, Oscar S. Askew, Vernie Askew, Violet Askew, Arthur W. Carter, Roy Shipman, and Vera Shipman As citizens by blood of the Choctaw Nation, under the provisions of the Act of Congress approved April 26, 1906.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED Tams Bixby
Commissioner.

Registered.

Incl. C-105--7-5200 etal.

C-108
7-8200 et al

Muskogee, Indian Territory, October 23, 1906.

COPY.

Cruce, Cruce and Blackmore,

Attorneys at Law,

Ardmore, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered October 23, 1906, dismissing the applications and petition for the enrollment of Newt Askew, Nancy W. Askew, Henry E. Askew, William H. Askew, Elizabeth V. Askew, Dallas A. Askew, Roxy C. Askew, Alpha Marie Hefner, Julius Edward Askew, Nancy Ann Hefner, William C. Askew, Mattie Askew, Ellen Askew, Tom Askew, Rebecca Askew, William T. Askew, Thane Askew, Perry Askew, Tommy Askew, Lillie Askew, Gilbert Askew, Lizzie Askew, Ethel Askew, Robert Floy Shipman, Robert Askew, Mary E. Jackson, Taylor P. Jackson, Alma Jackson, Charley Jackson, Roscoe Jackson, Ethel Jackson, Mary C. Brewer, Emma Brewer, Elmer Brewer, Mary B. Brewer, George W. Askew, Sophia Askew, Alice Askew, Martha E. Turner, Sam Askew, Frankie Beatrice Askew, Leo Askew, and John Askew, as citizens by blood of the Choctaw Nation, and the applications and petition for the enrollment of Maryha Askew, Bettie Akkew, Lena Askew, and Dora Askew, as citizens by intermarriage of said nation, and denying the application for the enrollment of Carl

C. C. & B. - - #2.

Hefner, Perry Q. Askew, Oscar G. Askew, Vernie Askew, Violet Askew, Arthur W. Carter, Roy Shipman and Vera Shipman as citizens by blood of the Choctaw Nation, under the provisions of the Act of Congress approved April 26, 1906.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED Tams Bixby
Commissioner.

Registered.

Incl. C-106--7-5200 et al.

C-105

7-5200 et al.

COPY.

Muskogee, Indian Territory, October 23, 1906.

Chester Howe,

Washington Loan and Trust Building,

Washington, D. C.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered October 23, 1906, dismissing the applications and petition for the enrollment of Newt Askew, Nancy M. Askew, Henry E. Askew, William H. Askew, Elizabeth V. Askew, Dallas A. Askew, Roxy C. Askew, Alpha Marie Hefner, Julius Edward Askew, Nancy Ann Hefner, William Q. Askew, Mattie Askew, Ellen Askew, Tom Askew, Rebecca Askew, William T. Askew, Thane Askew, Perry Askew, Tommy Askew, Lillie Askew, Gilbert Askew, Lizzie Askew, Ethel Askew, Robert Floy Shipman, Robert Askew, Mary E. Jackson, Taylor P. Jackson, Alma Jackson, Charley Jackson, Roscoe Jackson, Ethel Jackson, Mary C. Brewer, Emma Brewer, Elmer Brewer, Mary B. Brewer, George W. Askew, Sophia Askew, Alice Askew, Martha E. Turner, Sam Askew, Frankie Beatrice Askew, Leo Askew, and John Askew, as citizens by blod of the Choctaw Nation, and the applications and petition for the enrollment of Martha Askew, Bettie Askew, Lena Askew, and Dora Askew as citizens by intermarriage of said nation, and denying the application for the enrollment of Carl Hefner, Perry

C. M. - - 98.

Q. Askew, Oscar G. Askew, Vernie Askew, Violet Askew, Arthur W. Carter, Roy Shipman and Vera Shipman, as citizens by blood of the Choctaw Nation, under the provisions of the Act of Congress approved April 26, 1906.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED Tams Bixby

Commissioner.

Registered.

Incl. C-105--7-1200 et al.

C-108

T-6200 et al.

COPY

Muskogee, Indian Territory, October 23,190

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered October 23, 1906, dismissing the applications and petition for the enrollment of Newt Askew, Nancy E. Askew, Henry E. Askew, William H. Askew, Elizabeth V. Askew, Dallas A. Askew, Roxy C. Askew, Alpha Marie Hefner, Julius Edward Askew, Nancy Ann Hefner, William Q. Askew, Mattie Askew, Ellen Askew, Tom Askew, Rebecca Askew, William T. Askew, Thane Askew, Perry Askew, Tommy Askew, Lillie Askew, Gilbert Askew, Lizzie Askew, Ethel Askew, Robert Floy Shipman, Robert Askew, Mary E. Jackson, Taylor F. Jackson, Alma Jackson, Charley Jackson, Roscoe Jackson, Ethel Jackson, Mary C. Brewer, Emma Brewer, Elmer Brewer, Mary B. Brewer, George W. Askew, Sophia Askew, Alice Askew, Martha E. Turner, Sam Askew, Frankie Beatrice Askew, Leo Askew and John Askew, as citizens by blood of the Choctaw Nation, and the applications and petition for the enrollment of Martha Askew, Bettie Askew, Lena Askew and Dora Askew as citizens by intermarriage of said nation, and denying the application for the enrollment of Carl Hefner,

D. M. & S. - - 26.

Perry G. Askew, Oscar S. Askew, Bonnie Askew, Violet Askew, Arthur W. Carter, Roy Chipman, and Vera Chipman as citizens by blood of the Choctaw Nation, under the provisions of the Act of Congress approved April 26, 1906.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED Tams Bixby
Commissioner.

Registered.

Incl. C-105--7-5200 et al.

Copy.

Muskogee, Indian Territory, October 24, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to transmit herewith the record before the Commission to the Five Civilized Tribes and its successor in the matter of the application for the enrollment of Newt Askew, et al., as citizens of the Choctaw Nation, with my decision of October 23, 1906, denying a petition filed with this office by Thomas Norman, attorney at law, Ardmore, Indian Territory, on March 14, 1906, praying for the enrollment of Newt Askew, et al., as citizens of the Choctaw Nation.

This petition was filed under the opinion of the Assistant Attorney General for the Department of the Interior of December 8, 1905 (I.T.D. 3693-1905), in the Loula West case.

The majority of the persons named in the petition submitted by Mr. Norman were denied citizenship in the Choctaw Nation by decrees of the Choctaw and Chickasaw Citizenship Court.

While it is not claimed that the petitioners in question were ever recognized and enrolled by the tribal authorities as citizens of the Choctaw Nation, it is insisted that they are entitled to enrollment by reason of the fact that certain of their co-relatives

have been duly enrolled as citizens of the Choctaw Nation.

I also enclose for the consideration of the Department in connection with the contention of the petitioners, a brief filed with this office on October 1, 1906, by Thomas Norman, Grace, Crane & Bleakmore and Chester Howe, attorneys for the petitioners.

This case was the subject of my report of January 15, 1906, to the Department and of Departmental letter of March 12, 1906, (I.T. D 4088-1906).

There is also enclosed herewith the original petition directed to the President of the United Stated and the Secretary of the Interior, which was originally filed with the Department June 20, 1905. The case was also the subject of Departmental letter of October 15, 1906 (I.T.D. 12775-1906), enclosing for report a letter of Chester Howe, attorney at law, Washington, D. C., dated October 10, 1906, and addressed to the Department, requesting that the Commissioner to the Five Civilized Tribes be directed to pass upon the case at the earliest practicable date, to the end that a final decision may be secured upon the questions raised.

I have the honor to further report that the principal petitioners have been advised of the action taken by me on October 23, 1906, and that their attorneys and the attorneys for the Choctaw and Chickasaw Nations have been furnished with a copy of my decision of that date.

Respectfully,

Signed Tams Bixby

Commissioner.

Through the Commissioner
of Indian Affairs.
OP 24-5

REFER IN REPLY TO THE FOLLOWING:

9-8302

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, April 22, 1907.

John Askew,

Powell, Indian Territory.

Dear Sir:

You are hereby advised that on March 4, 1907, the Secretary of the Interior affirmed the decision of this office of October 23, 1906, dismissing the application and petition for your enrollment as a citizen by blood of the Choctaw Nation.

Respectfully,

Commissioner.

Class 5202

Amanda A. Zumwalt

5202

Muskogee, Indian Territory, October 20, 1900.

J. F. Mullin,
Attorney at Law,
Ardmore, Indian Territory.

Dear Sir:

The Commission is in receipt of an application for enrollment as a citizen of the Choctaw Nation of Elmer Folsome Anderson, the infant son of Blumer and [redacted] Annie Anderson. The same is returned to you herewith for the reason that it is not in proper form to be accepted by this Commission as evidence of the birth of this child.

There is enclosed you herewith, a blank application for the enrollment of infant children which is used by the Commission for this purpose and upon which may be stated all the [redacted] necessary for the enrollment of an infant.

The application for the enrollment of this child, shows the mother to be Amanda Annie Anderson, nee Zumwalt, and our records show that Amanda A. Zumwalt, 13 years of age of Ardmore, Indian Territory, was listed for enrollment as a citizen of the Choctaw Nation, September 25rd, 1898 in pursuance of a judgment of the United States Court for the Central District of the Indian Territory in court case No. 213, and it is presumed that it is this party who now appears as the mother of this child.

The records of the Commission further show that Blumer Anderson's former wife was Mary Dobs, to whom he was married on February 13th, 1897 and from whom he was divorced on the 14th of

2 7 x 2

December, 1909, and that the Court in granting the divorce gave to Mary Anderson, the care, control and custody of their child, Bessie Lee Hazel Anderson.

It appears from our records that Mary Anderson has never made any claim to enrollment as a citizen of the Choctaw Nation and this child, Bessie Anderson, now appears as listed for enrollment with the father, Blumer Anderson.

You are therefore requested to inform the Commission as to all the facts in your possession in regard to this case and also the matter of the application for the enrollment of this child, Elmer Folsome Anderson. State when Amanda Zumwalt and Blumer Anderson were married and it will be necessary to furnish the Commission with either the original or certified copy of the marriage license and certificate between Blumer Anderson and Amanda Zumwalt.

Upon receipt of this marriage license and certificate and the return of the application in proper form the matter will receive further consideration.

Yours truly,

Acting Chairman.

End a

T-6052
T-6202

Choctaw Court Card C. 247

IN THE application of Amanda A. Zumwalt.

Amanda A . Zumwalt says:

I have been residing in the Territory for 7 years continuously .

Ardmore, Sept. 28 1896.

Amanda A. Zumwalt

enrolled.

[illegible]

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

----o----

Record in the matter of the application for enrollment as citizens by blood of the Choctaw Nation of:

ANDREW CAVITT FORD, ET AL., 7-5203.

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Andrew Lovett Ford, born on the 11 day of April, 1899.
Name of father: S E Ford, a citizen of the United States Nation.
Name of mother: Mary Adaline Ford a citizen of the Choctaw Nation.
Post Office: Ardmore I T

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District.

I, Mary A Ford, on oath, state that I am 33 years of age and a citizen, by blood, of the Choctaw Nation; that I am the lawful wife of S E Ford who is a citizen, by blood, of the United States ~~Nation~~; that a boy child was born to me on the 11 day of April, 1899; that said child has been named Andrew Lovett Ford and is now living.

Mary A Ford

Subscribed and sworn to before me this 20th day of December, 1899.

W R Bleakmore
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District.

I, G M Richardson, a Physician on oath, state that I attended on Mrs. Mary A Ford, wife of S E Ford on the 11 day of April, 1899; that there was born to her on said date a boy child; that said child is now living and is said to have been named Andrew Lovett Ford

G M Richardson M D

Subscribed and sworn to before me this 20th day of December, 1899.

W R Bleakmore
Notary Public.

CHOCTAW. 7-743

IN RE

Application for Enrollment of

INFANT CHILD

Thomas Needles Ford,

as a citizen of the

CHOCTAW. Nation.

Approved, SEP 10 1900 190

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
SEP 10 1900

ACTING CHAIRMAN.

CHOCTAW.

5203,

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of Thomas Needles Ford, born on the 2nd day of September, 1900
(Here insert name of child.)

Name of Father: S. E. Ford, a citizen of the Choctaw Nation.

Name of Mother: Adeline Ford, a citizen of the Choctaw Nation.

Postoffice, Ardmore, Ind. Ter

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY.
Southern District.

I, Adeline Ford, on oath state that I am Thirty-three years of age and a citizen, by blood, of the Choctaw Nation; that I am the lawful wife of S. E. Ford, who is a citizen, by marriage, of the Choctaw Nation; that a male (male or female) child was born to me on the 2nd day of September 1900; that said child has been named Thomas Needles Ford, and is now living.

WITNESSES TO MARK:

(Must be Two Witnesses.) 1. .....
2. .....

Adline Ford

Subscribed and sworn to before me this 6th *day of* September 1900.

H. R. Bleasmon
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY.
..... District.

I, W. T. Gardner, a physician, on oath state that I attended on Mrs. Adeline Ford, wife of S. E. Ford, on the 2nd day of September, 1900; that there was born to her on said date a male (male or female) child; that said child is now living and is said to have been named Thomas Needles Ford

W. T. Gardner

WITNESSES TO MARK:

(Must be Two Witnesses.) 1. .....
2. .....

Subscribed and sworn to before me this 2nd *day of* September 190 0

W. R. Bleasmon
NOTARY PUBLIC.

CHOCTAW. 50 IND[illegible]

IN RE

Application for Enrollment of

INFANT CHILD

Fannie Ellen Ford

as a citizen of

Choctaw Nation.

Approved JUN 17 1902 190

[signature] Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
JUN 17 1902

[signature]
ACTING CHAIRMAN.

CHOCTAW. 5203

BIRTH AFFIDAVIT. 20

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Hannie Ellen Ford, born on the 12 day of March, 1902.
(Here insert name of child.)
Name of Father: S E Ford, a citizen of the United States Nation.
Name of Mother: Mary A Ford, a citizen of the Choctaw Nation.
Post-office, Ardmore I T

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, }
INDIAN TERRITORY, }
Southern District. }

I Mary A Ford, on oath state that I am 36 years of age and a citizen, by blood, of the Choctaw Nation; that I am the lawful wife of S E Ford, who is a citizen, by, of the United States Nation, that a Female child was born to me on the 12 day of March 1902 that said child has been named Hannie Ellen Ford, and is now living.
(male or female.)

Mary A Ford

WITNESSES TO MARK

(Must be Two Witnesses) }

Subscribed and sworn to before me this 5 *day of* April 1902

H R Beaumont
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, }
INDIAN TERRITORY, }
Southern District. }

I, W J Gardner, a Physician, on oath state that I attended on Mrs. Mary A Ford, wife of S E Ford, on the 12 day of March, 1902 that there was born to her on said date a Female child; that said child is now living and is said to have been
(male or female.)
named Hannie Ellen Ford

W J Gardner M.D.

WITNESSES TO MARK:

(Must be Two Witnesses) }

Subscribed and sworn to before me this 10 *day of* April 1902.

H R Beaumont
NOTARY PUBLIC.

7-5203.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

----o----

In the matter of the application for the enrollment of Andrew Cavitt Ford, et al., as citizens by blood of the Choctaw Nation.

----o----

The applicants, Andrew Cavitt Ford, Thomas Needles Ford and Fannie Ellen Ford, claim their right to enrollment as citizens by blood of the Choctaw Nation through their mother Adeline Ford. The right of the applicants' mother, Adeline Ford, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, June 29, 1904, in case No. 50 upon the Tishomingo docket of said court, it is hereby ordered that the application of Andrew Cavitt Ford, Thomas Needles Ford and Fannie Ellen Ford for enrollment as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Chairman.

Muskogee, Indian Territory,

SEP 15 1904

Chapter 2003

COPY.

Muskogee, Indian Territory, September 15, 1904.

Adeline Ford,

Ardmore, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated September 15, 1904, dismissing the application for the enrollment of Andrew Cavitt Ford, Thomas Beedles Ford and Fannie Ellen Ford as citizens by blood of the Choctaw Nation.

Respectfully,

Tams Bixby.

Chairman.

Registered.

Inc l. 7-5203.

Chectaw 2004

COPY)

Muskogee, Indian Territory, September 15, 1904.

Cruce, Cruce & Cruce,
Attorneys at Law,
Ardmore, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated September 15, 1904, dismissing the application for the enrollment of Andrew Cavitt Ford, Thomas Beedles Ford and Fannie Ellen Ford as citizens by blood of the Choctaw Nation.

Respectfully,

SIGNED

Tams Bixby,
Chairman.

Registered.

COPY. Choctaw 8303

Muskogee, Indian Territory, September 16, 1904.

Mansfield, McMurray & Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission, dated September 16, 1904, dismissing the application for the enrollment of Andrew Cavitt Ford, Thomas Needles Ford and Fannie Ellen Ford as citizens by blood of the Choctaw Nation.

Respectfully,

SIGNED

James Bixby.

Chairman.

Incl. 7--8203.

Court Card Q 248

...cation of Adeline Ford and others.

...or

Adeline Ford says:

I have been living in the Chickasaw Nation continuously with my family for 10 years.

Henry J. was admitted as "Henry". Ardmore, Sept. 23 1898.

Adeline Ford
William Ford
Bruce Ford
E va Ford
Henry J. Ford
Fred Ford
Sydney E. Ford
Joseph Ford
Samuel Ford
Luther Ford

enrolled.

Muskogee, I. T., September 11th, 1900.

Cruce, Cruce and Cruce,
Attorneys at Law,
Ardmore, Ind. Ter.

Gentlemen;

The Commission is in receipt of your letter of the 6th inst. enclosing the application for enrollment as a citizen of the Choctaw Nation of Thomas Needles Ford, the infant son of S. E. and Adeline Ford, born September 2d, 1900, and the same being in proper form has been duly filed with the records of the Commission.

Yours truly,

Acting Chairman.

7-5203.

Choctaw [illegible]

Muskogee, Indian Territory, June 27, 1902.

S. E. Ford,

Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Fannie Ellen Ford, the infant daughter of S. E. and Mary A. Ford, born March 12, 1902, and the same being in proper form has been duly filed with the records of this office and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours tr uly,

Commissioner in Charge.

Choctaw 5203

Muskogee, Indian Territory, June 17, 1902.

Cruce & Cruce,

Attorneys at Law,

Ardmore, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of the 14th instant, enclosing the application for enrollment as a citizen of the Choctaw Nation of Fannie Ellen Ford, the infant daughter of S. W. and Mary A. Ford, born March 12, 1902, and such application being in proper form, has been duly filed with the records of this office and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Commissioner in Charge.

Choctaw 5803.

Muskogee, Indian Territory, November 2, 1903.

J. P. Berry,

Ardmore, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of October 24, in which you give the name of Mrs. M. A. Ford as Mary Adeline Ford and state that her father's name was Phelix Houston Roberts.

In reply to your letter you are advised that the information contained therein has enabled the Commission to identify Mary Adeline Ford as Adeline Ford, daughter of Felix and Rachel Roberts, and it appears from our records that she and her children were admitted to citizenship in the Choctaw nation by a judgment of the United States Court for the Southern District of the Indian Territory, rendered at Ardmore, January 17, 1898, court case, citizenship docket, Number 74.

Respectfully,

Chairman.

(Copy)

Ardmore, Okla.

April the 11 1908

Mr. Theodore Rosevelt

Dear Sir

I hope you will be able to read this scribling and will take it home to your onw hart and consider the situation myself and family ar in it has just in the last few days struck me that the only way for me to get my just and honest rights is By your aid and recommendation to the Secretary to give me and my Family our rights whitch has been delibertly taken away From us by having no Pertecion in the corts for just walked in and takened our Property man with money it has almost caus insanity with me and I have Pled with my boys night and day taken evry thing as cool as I could praying to get it back telling them we would get it back to keep from being bled (?) from being ---- when it I had not a gray hair now I have nothing else hardly My Health is Brokened Down from the hardships has bin throughn on me an worry so unexpeced to us I am the mother of eleven Boys an Four girls 11 Boys 4 girls one Boy one girl Dead Both died infants I am 42 years of age I Chocktaw Indian By Blood My Mother was Choctaw Indian By Blood her Father was indian my mother is dead her older sister has herself and all of her Family on the roolls and hav ther Land no trouble Mu Husban is English years of age and afflicted with rumitisam allmost an invild and this trouble has caus him to give way to drink But a kinder man tu his Family nevr Lived at his mother death he aired a Little Money abot 14 years ago which he invested im-

proving Land fur myself and our children Ardmore was small Place then, he Bought the improvments on land for me and seven children and has aded to them up till thay was taken from us of corse Ardmore improved mad the proppurty wurth more they filed adult Indians surplus most FullBlods and hav ther land already Bor-- contracts money advanced n them and hav bin geting the rent this is the fifth year witch I ought to have to help feed and cloth and scholl my children they ar like myself with older and with but Little yunger with nun my Husban worked for wages Before he got his estate and culd improve us a home we thought For life then we would be in a posion to school our children ~~all of my boys ar good tu mind I try to rais them tu be good~~ and Law abiding men and boys my oldes is 23 the 20 day of April I try to make them believe we will get what is ours after while to keep up corege and keep Down truble I Believe I can get ovr a Hundred People to sign a petion tistfying that I an my Family ar intitle to our Propperty Back most eny one in Ardmore and a round of us--- except the ones that has them in chrage with the intenion Bying For a mear nothing Hundreds of them Just Bein Bated along charged up and as soon as thay can give a title will be closed out at onc Let them have money and charg them 25 and 30 percent interest the First National Bank here has thousands acars that so does the Party that tokened mine From me taken the advantage of the law at that time nue our hands were tied could not pertect what we had Paid our own mony For the Last Cent Borrowed some money tu Put better improvments on the land so we could rent it was only Poorly Fenced Little shantys on

it when the Indian was cut down to Five Hundred acars this was the excess of Ritchard McClitch and Bill Washington I went to see Mr. Bixby at Moskogie after my land was taken but ask me how mutch money could I Put up I toled I could not Put up a cent unless I could Borrow it on the Propperty and in its Present condishion it would be hard tu do I would give him a note an Pay him as soon as I was put back on the Rools and my Propperty Back he said he could do nothing for me without the redy mony so I went back to my Family Brokened harted the alotment I had for myself was sagergated make me pay rent to the govurment now trying to put me out of it I guess I will be turned out it rite shortly without pay for my improvments there is no coal here that will ever Pay tu small vain so mutch wast and so mutch water cost so mutch to mine it a very poor grade of coal dont pay to work it Just opened up tu rob People out of mony if the new state gets the mineral lands I will be turned out again and grafters step in if I dont get some releaf From you or the Secretary of Interior in I understand the situa tion of the affair m'n dont know my conscions tells me From what I can understand Frm the papers thare some of my Friends that ar honestly intitle to thar claim Brothers an sisters and Family on the Rolls all on on through the corts part of the Family left on the rest cratched of Becaus they had bin robed by grafters could not pay the Chickasaws an Choctaw lawers and the Indian cort we neu it was no use to go befor that cort befor we went Mr. Fool made a remark tu Mr Burnie a Indian in Ardmore on the way used a oath that evy one of cort

Indians were Fraud if so some Full Bloods all most ar Fraud Charley Carter who is in Washington now His Father taken my case had it most through with when he taken sick and died in Fort Worth Texas then it stood until people claiming Indian to get thear application By a cirten date my Indian Friends notifew me to attend to it so I did got on the Rools selected our a-lotments Just had got them so we could live and send our children to school an lost it all I do hope you will Be able to read this scribling or hav it read to you and Just think how you would Feel treated that way if you onley will you can lend a heping hand Please Parden me for taken the Privilage I hav Let me know in some way if I can get releaf and oblige

Very Truly

(Signed) Mary A. Ford.

Muskogee, Oklahoma, June 8, 1908.

Mrs. Mary A. Ford,

Ardmore, Oklahoma.

Madam:

Your communication of April 11, 1908, addressed to the President of the United States, complaining that you have been defrauded out of your property and requesting that your interests be protected, was referred to this office for investigation and appropriate action with Indian Office letter of May 26, 1908 (Land 33591-1908).

With reference to this matter you are advised that this office is unable to identify upon its records the name of Mary A. Ford as an enrolled citizen of the Choctaw or Chickasaw Nation, but it appears that application was duly made to the Commission to the Five Civilized Tribes by Adeline Ford, of Ardmore, the wife of Sydney Ford, for the enrollment of yourself and nine minor children, William, Bruce, Eva, Henry J., Fred, Sydney E., Joseph, Samuel and Luther Ford, as citizens of the Choctaw Nation.

It further appears that the application for the enrollment of the persons above named was denied by the

Commission to the Five Civilized Tribes in 1896; that they were subsequently admitted by the United States Court for the Southern District of the Indian Territory on January 17, 1898, in Case No. 74, and that this case was appealed to the Choctaw-Chickasaw Citizenship Court, which latter court, on June 29, 1904, denied the applicants the right to enrollment as citizens of the Choctaw Nation.

It also appears that application was made for the enrollment of Andrew Cavitt Ford, Thomas Needles Ford and Fannie Ellen Ford, claiming their right to enrollment as citizens by blood of the Choctaw Nation through their mother, Adeline Ford, but inasmuch as the right to the said Adeline Ford to citizenship in the Choctaw Nation was adversely determined by a decree of the Choctaw-Chickasaw Citizenship Court, the application for the enrollment of Andrew Cavitt, Thomas Needles and Fannie Ellen Ford was dismissed.

The final rolls of citizenship of the Five Civilized Tribes were closed March 4, 1907, and the names of Adeline Ford and her minor children not having been placed thereon on or prior to said date, they are not entitled to share in the distribution of the tribal funds and property of the Choctaw and Chickasaw Nations, and there is no action, there-

[illegible] relative to their rights, that can now be taken by this action.

If, in your opinion, you are being defrauded in any [illegible] to your property rights, it is suggested that an action be instituted by you in the court having proper jurisdiction in order to determine what rights you may have to the property in question and for the purpose of protecting any interests therein you may have.

Respectfully,

VPC(VR)

Commissioner.

Muskogee, Oklahoma, June 9, 1908.

United States Indian Agent,
Union Agency,
Muskogee, Oklahoma.

Sir:

There is transmitted herewith Indian Office letter of May 26, 1908 (Land 33951-1908), enclosing, for investigation and appropriate action, a communication from Mrs. Mary A. Ford, of Ardmore, Oklahoma, dated April 11, 1908, addressed to the President of the United States, complaining that she has been defrauded out of her property and requesting that her interests be protected.

There is also enclosed herewith a copy of a reply made by this office to the communication of Mrs. Mary A. Ford, which fully sets forth the status of the application for the enrollment of Mary A. Ford (identified as Adeline Ford) and her minor children as citizens of the Choctaw Nation.

Inasmuch as it was found that these persons were not entitled to enrollment and their names not having been placed upon any final roll on or prior to March 4, 1907, it is believed that there is no action with reference to their

case [illegible] can now be taken by this office, and Mary A. Ford has been so advised.

Respectfully,

WPC(VK '39) Commissioner.

Chec 5204

Bertie Cotton

see PET # C-93

5204

In re application of Bertie Cotton and others.

Sworn by Commissioner McKennon.

Bertie Cotton says:

I have been living in the Chickasaw Nation about 8 years. We came back from Texas about 8 years ago and have lived here continuously since that time.

Bertie Cotton
Jenny L. Cotton.

enrolled. Ardmore, Sept. 23, 1903

Copy

Choctaw D-43

Muskogee, Indian Territory, February 25, 1902.

Bertie Cotton,

Ardmore, Indian Territory.

Dear Madame:

You are hereby notified that your application for the enrollment of yourself and your minor child, Jennie Lind Cotton, as citizens of the Choctaw Nation will be taken up by the Commission to the Five Civilized Tribes for final consideration at its office in Muskogee, Indian Territory on the 2nd day of April 1902.

On said date you may, if you desire appear before the Commission in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting said application.

You are further notified that the representatives of the Choctaw Nation will also, at the same time, be afforded an opportunity to introduce testimony affecting your right to enrollment but said representatives will be required to notify you of their intention to introduce such testimony before they will be permitted ro do so.

The Commission to the Five Civilized Tribes

T. B. Needles

Register. Commissioner in Charge.

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Bertie Cotten for the enrollment of herself as an intermarried citizen of the Choctaw Nation, and for the enrollment of her minor child, Jennie Lind Cotten as a citizen by blood of the Choctaw Nation.	---D 48---

On February 25, 1902, the principal applicant, Bertie Cotten was notified by registered mail that the application for the enrollment of herself as an intermarried citizen of the Choctaw Nation, and for the enrollment of her minor child, Jennie Lind Cotten, as a citizen by blood of the Choctaw Nation, would be taken up by the Commission to the Five Civilized Tribes at its office in Muskogee, Indian Territory, on the 2nd day of April, 1902 for final consideration.

Now, on this 2nd day of April, 1902, this cause coming on to be heard pursuant to said notice, the following appearances were made:

A P P E A R A N C E S :

The applicants, by their attorneys: No appearance by attorneys Grace & Grace and C. L. Herbert, : for the Choctaw Nation.

STATEMENT BY COUNSEL:

MR HERBERT: We offer in evidence certified copy of decree in case of Benton M. Smith, et al., vs Choctaw Nation, United States Court, Southern District, Court No.90, date of judgment, March 8, 1898. I will state that Jennie Lind Cotten, the daughter of the principal applicant,--her name also appears in the judgment.

By the Commission: This case will be considered by the Commission, upon the record as now made up.

Harry C. Risteen, being first duly sworn upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 2nd day of April, 1902, and that the above and foregoing is a full, true and correct transcript of

Bertie Cotton, et al.,——-g

his stenographic notes of said proceedings on said date.

Harry C Rieber

Subscribed and sworn to before me this 3rd day of April, 1903.

Clarence Chatterwood

Notary Public.

Copy

IN THE UNITED STATES COURT, INDIAN TERRITORY, SOUTHERN DISTRICT
AT ARDMORE.

Benton [redacted], et al.,

vs No 90

Choctaw Nation.

JUDGMENT, March 8, 1898.

THIS DAY this cause coming on to be heard upon the pleadings, proof, Master's Report and exceptions filed thereto, and the Court being sufficiently advised: Doth order and adjudge that said report be confirmed in all respects, except [redacted] that same be corrected so as to admit the applicants, Bertie Cotton and Jennie Lind Cotton, and the court being sufficiently advised upon the whole case, doth order, adjudge and decree that the applicants, N.W.COTTON, D.B. COTTON, BERTIE COTTON, JENNIE LIND COTTON, CORA COTTON, ROMEO COTTON, HESTER COTTON, WHITE COTTON, MINNIE COTTON, AND OTTO COTTON, the said OTTO COTTON being a child of N. W. COTTON, be, and they each and all are hereby admitted as members of the Choctaw Tribe of Indians, and that they have all the rights, privileges and immunities as such, and the Clerk of this court is ordered to transmit a certified copy of this judgment to the proper authorities for their enrollment.

United States of America,
Indian Territory,
Southern District.

I, C. M. Campbell, Clerk of the foregoing Territory and District do hereby certify the above and foregoing to be a true and perfect copy of the original judgment in said cause, as the same appears of record in Indian Citizenship Record A, Page 334, in my office.

IN TESTIMONY WHEREOF, I [redacted] my hand and official seal o[redacted]

Jennie Lynn Cotton et al., petitioners.

vs.

Choctaw and Chickasaw Nations,
defendants.

I, Thos. Norman, do solemnly swear that I served a true and correct, perfect and literal copy of the petition in the above styled case to which this affidavit is attached, on Mansfield, McMurray & Cornish on February 8, 1906, by registering said copy to them addressed to them at South McAlester , I. T., and that the registry receipt hereto attached was issued on said registration.

Thos. Norman.

Subscribed and sworn to before me this February 20, 1906.

J. L. Hickins.

Commission expires

Jany. 27th, 1910.

Ardmore, Southern Disct. I.T.

(SEAL)

C O P Y

Department of the Interior?

Commission to the Five Civilized Tribes.

Jennie Linn Cotton et al, petitioners.)

vs. | Petition for identification and enrollment.

Choctaw and Chickasaw Nations, Defendants. |

Come now petitioners, Jennie Linn Cotton and her mother, Alberta Calloway, nee Cotton, and respectfully state that they and each of them are citizens of the Choctaw Nation, and are entitled to be identified and enrolled on the rolls of said nation, and to the enjoyment of all the rights, priviliges and immunities of any other citizen of that nation.

As grounds therefor, they allege that the father of Jennie Lin Cotton, a white man named D. B. Cotton, whilst a resident of said Nation on or about the 4 day of March, 1864, married a citizen of said nation by blood named Susan LeFlore, in accordance with the laws of said nation, whereby the said D. B. Cotton then andthere became a citizen of said nation by marriage; that he continued at all times thereafter until his death, which occurred Oct. 1892; that said D. B. Cotton was always from the date of his said marriage borne on the rolls of citizens of said Tribe or nation.

Petitioners further state that the said Susan Cotton died on or about the____day of May, 1890; and thereafterwards the said D. B. Cotton, on or about the 2 day of April 1891, married a white woman then residing in the said nation named Alberta Nee NeeSmith, in accordance with the laws of said nation, and under a license issued to them by the authorities of said nation, and fater the said marriage ceremony was performed, the license was returned to the proper official of said nation and recorded on books of record kept by him for that purpose, whereby the said Alberta Cotton then and there became a citizen of said nation and enrolled on the rolls of said nation in so far as a record of the marriage license is an enrollment; that while the said D. B. Cotton and Alberta Cotton were residents of said nation and citizens thereof, they had born to them on the 8th day of January 1892, a child, now living, named Jennie Linn Cotton, your petitioner herein; that said Child was born of parents who were citizens and residents of said nation, owing immediate allegiance thereto, and that said child is therefore a citizen of said nation.

Application in writing was made to the Commission to the Five Civilized Tribes in 1896, for the identification and enrollment of petitioners; from a decision renderedby said Commission an appeal was taken to the Courts, and from there the case was carried before the Citizenship Court; that when the said commission was making its field identification, petitioners appeared before them for enrollment in 1898.

Wherefore, considering the above, petitioners pray thatthey and each of them be identified and enrolled as citizens of the Choctaw

nation, and for any and all other proper and suitable relief.

Signed. Thos Norman.
Attorney for petitioner.

I, Alberta Calloway, Nee Cotton, do solemnly swear that the facts and statements contained in the above petition are true.

Signed. Alberta Callaway.

Subscribed and sworn to before me this the 24 day of January, 1906.

Signed. C. E. McCain
Notary Public.

My Com expires May 17, 1908.

Indorsed on back:

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
Filed Mar 1 1906.
Tams Bixby, Commissioner.

Jennie Lynn Cotton et al, petitioners.

vs.

Choctaw & Chickasaw Nations,

Defendants.

I, Thos. Norman, do solemnly swear that I served a true and correct, perfect and literal copy of the petition in the above styled case to which this affidavit is attached, on Mansfield, McMurray & Cornish on February 8, 1906, by registering said copy to them addressed to them at at South McAlester, I. T., and that the registry receipt hereto attached was issued on said registration.

Signed. Thos. Norman.

Subscribed and sworn to before me this February 20, 1906.

SEAL/ Signed. J. L. Riggins
Notary Public.

Commission expires Jany 27th, 1910. Ardmore, Southern Dist. I. T.

C- 93

7-52

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Jennie Linn Cotton et al. as citizens of the Choctaw Nation.

D E C I S I O N

It appears from the record herein and the records in the possession of the Commissioner to the Five Civilized Tribes that application was made to the Commission to the Five Civilized Tribes at Ardmore, Indian Territory, September 23, 1898, by Bertie Cotton, for the enrollment of herself and Jenny Lind Cotton as citizens of the Choctaw Nation.

It further appears from the records in the possession of the Commissioner to the Five Civilized Tribes that Bertie Cotton and Jenny Lind Cotton were applicants to the Commission to the Five Civilized Tribes for admission to citizenship in the Choctaw Nation under the provisions of the Act of Congress approved June 10, 1896 (29 Stats., 321); that they were denied said admission by the decision of the Commission of December 5, 1896; that from said decision an appeal was taken to the United States Court for the Southern District of Indian Territory, which Court on March 8, 1898, in the case entitled "Benton N. Smith vs. Choctaw Nation", Case No. 90, reversed the decision of the Commission as to certain of the applicants, among whom were the applicants, Bertie Cotton and Jenny Lind Cotton, and admitted said applicants as citizens of the Choctaw Nation.

This judgment was subsequently vacated, set aside and held for naught by a decree of the Choctaw and Chickasaw Citizenship Court of September 17, 1902, in the test case of the"Choctaw and Chickasaw Nations, or Tribes, vs. J. T. Riddle et al."

Said cause was subsequently certified to the Choctaw and Chickasaw Citizenship Court, created under the Act of Congress approved July 1, 1902 (32 Stats., 641) for a trial de novo, and on November 29, 1904 said Citizenship Court in the case of "Bertie Cotton et al. vs. Choctaw and Chickasaw Nations" rendered a judgment therein, wherein it was "ordered, adjudged and decreed that the petition of the plaintiffs, Bertie Cotton and Jenny Lind Cotton be denied, and that they be declared not citizens of the Choctaw Nation, and not entitled to enrollment as such, and not entitled to any rights whatever flowing therefrom".

Under the regulations adopted by the Commissioner to the Five

Civilized Tribes January 2, 1906, there was filed on March 1, 1906, by Thomas Norman, attorney for the petitioners, a petition praying for the enrollment of Jennie Linn Cotton and Alberta Calloway, nee Cotton, as citizens of the Choctaw Nation.

It is alleged in the petition that the petitioner, Jennie Linn Cotton, is the daughter of D. B. Cotton, deceased, and Alberta Cotton, a white woman, whose name was originally Alberta Smith; that prior to the marriage of D. B. Cotton and Alberta Smith the said D. B. Cotton was married to Susan LeFlore, a citizen of the Choctaw Nation.

I am of the opinion that following the ruling of the Department of February 3, 1905 (I.T.D. 11582-1904) in the case of Emma McMenamin, the application for the enrollment of Bertie Cotton (or Alberta Cotton) and the petition filed March 1, 1906, in so far as it applies to Bertie Cotton (or Alberta Calloway, nee Cotton), be denied under the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641), and it is so ordered.

I am further of the opinion that following the ruling of the Department of April 24, 1906 (I.T.D. 4048-1906) in the case of Mary Elizabeth Martin the application for the enrollment of Jenny Lind (or Linn) Cotton and the petition filed March 1, 1906, in so far as it applies to Jenny Lind (or Linn) Cotton, should be denied under the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641), and it is so ordered.

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory,

OCT 4 - 1906

C-93
9-C-249.

COPY

Muskogee, Indian Territory, October 4, 1906.

Bertie Cotton,

Ardmore, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered October 4, 1906, denying the application and petition for the enrollment of Bertie Cotton (or Alberta Cotton or Calloway) and Jenny Lind (or Linn) Cotton as citizens of the Choctaw Nation.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED

Commissioner.

Registered
C-93
9-C-249.

C-93
9-C-249.

Muskogee, Indian Territory, October 4, 1906.

Thomas Norman,

Attorney at Law,

Ardmore, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered October 4, 1906, denying the application and petition for the enrollment of Bertie Cotton (or Alberta Cotton or Calloway) and Jenny Lind (or Linn) Cotton as citizens of the Choctaw Nation.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Tams Bixby

Commissioner.

Registered.
C-93
9-C-249.

C-93
9-C-249.

COPY

Muskogee, Indian Territory, October 4, 1906.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered October 4, 1906, denying the application and petition for the enrollment of Bertie Cotton (or Alberta Cotton or Calloway) and Jenny Lind (or Linn) Cotton as citizens of the Choctaw Nation.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED

Commissioner.

C-93
9-C-249.

Muskogee, Indian Territory, October 4, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith record of proceedings in the matter of the application and petition for the enrollment of Bertie Cotton (or Alberta Cotton or Galloway) and Jenny Lind (or Linn) Cotton as citizens of the Choctaw Nation, including the decision of the Commissioner to the Five Civilized Tribes, dated October 4, 1906, denying said application and petition.

Respectfully,

SIGNED Wm. O. Beall

Commissioner.

2 Incl.

Through the

Commissioner of Indian Affairs.

D. C. 11790-1907. 37

DEPARTMENT OF THE INTERIOR,

WASHINGTON.

I.T.D. [redacted]

LRS [redacted]

February 26, 1908

DIRECT.

Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir :

Your decisions in thefollowing Choctaw citizenship cases adverse to the applicants are hereby affirmed. Copies of Indian Office letters submitting your reports and recommending that the decisions be affirmed are inclosed:

Title of Case.	Date of your letter of transmittal.
Joseph H. Collins,	June 19, 1906
James E. Burns, et al.,	June 19, 1906
Fannie M. Falconer, et al.,	June 19, 1906
Jessie Jee Turner,	June 19, 1906
Thomas Woods,	December 19, 1906
Lieta Benson,	November 6, 1906
Amy M. Hancock, et al.,	November 15, 1906
Daisy Crockett Coleman, et al.,	September 28, 1906
Harry Guion,	October 2, 1906
Lucinda M. Hanks, et al.,	November 13, 1906
Agnes Irene Coleman, et al.,	December 20, 1906
Lillie May Pate, et al.,	December 20, 1906
Retha Anna Ferguson,	December 20, 1906
Dovie Adline Goforth,	December 25, 1906
Andrew J. Giles, et al.,	November 15, 1906
Nellie C. Blakely, et al.,	November 14, 1906

Title of Case.	Date of your letter of transmittal.
Overton Martin Bonds, et al.,	January 14, 1907
John Lee Hunt,	December 20, 1906
Kathleen Lockett,	January 12, 1907.
Thomas Rudolph Hamlin,	December 20, 1906
Mamie Dunagan,	January 12, 1907.
William A. Gardner,	December 20, 1906
Sophia C. Harris, et al.,	December 20, 1906
Jesse Monroe Jones,	January 12, 1907
Bertie Cotten, et al.,	October 4, 1906
Maggie Irene Stalcup,	November 22, 1906
L. Everet Parke, et al.,	November 22, 1906
Ella Florence Cochran,	October 2, 1906
Cleo Irene Cummings, et al.,	December 26, 1906
Tilden J. Smith,	November 21, 1906
Jewell Merryman,	November 21, 1906
Jim Costilow, et al.,	December 21, 1906
Lettie May Hickman, et al.,	December 24, 1906
Rue Colbert, et al.,	December 21, 1906
Matilda Florence,	June 20, 1906
Mary Jane Fulsom, et al.,	June 18, 1906
Lee Keck, et al.,	October 20, 1906
Magnolia Thompson,	November 21, 1906
John Hardy Sterling, et al.,	November 23, 1906
James Maberry Morse, Jr.,	January 16, 1907
James G. Shaw,	November 21, 1906
Sallie Engleman, et al.,	January 16, 1907
Fannie Pearl Beagles, et al.,	December 21, 1906
Thomas A. Fitzgerald (Jr.)	December 21, 1906

A copy hereof and all the papers in the above mentioned cases have been sent to the Indian Office.

Respectfully,

(Signed) Jesse E. Wilson,

Assistant Secretary.

44 inc. and
92 for Ind Of.

AFHe
2-27-07

---Copy---

Land.
97829-1906.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON.

February 15, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed a report from the Commissioner to the Five Civilized Tribes, dated October 4, 1906, transmitting the record relative to the application for enrollment of Bertie Cotton (or Alberta Cotton or Calloway) and her daughter, Jenny Lind (or Linn) Cotton, as citizens of the Choctaw Nation. On October 4, 1906, the Commissioner held that the applicants were not entitled to enrollment.

The record shows that Bertie Cotton and Jenny Lind Cotton were applicants to the Commission to the Five Civilized Tribes for admission to citizenship in the Choctaw Nation under the provisions of the Act of June 10, 1896 (29 Stat. L., 321); thatthey were denied by the Commission on December 5, 1896; that an appealwas taken to the United States Court for the Southern District of the Indian Territory, which court on March 8, 1898, admitted the applicants.

This judgment was subsequently vacated by the Choctaw and Chickasaw Citizenship Court.

The cause was subsequently certified to the Choctaw and Chickasaw Citizenship Court for a trial de novo, and on November 29,

1904, this Court decided that the applicants were not entitled to enrollment. This case does not come within the facts in the Lula West case.

A petition was filed on March 1, 1906, for the enrollment of Jennie Linn Cotton and Alberta Calloway, nee Cotton, as citizens of the Choctaw Nation. In the petition it is alleged that Jennie Linn Cotton is the daughter of D. B. Cotton, deceased, and Alberta Cotton, a white woman, whose name was originally Alberta Smith; that prior to the marriage of D. B. Cotton and Alberta Smith, D. B. Cotton was married to Susan Le Flore, a citizen of the Choctaw Nation.

Following the ruling of the Department of February 3, 1906, (I. T.D. 11582-1904) in the case of Emma McMenamin, the application for the enrollment of Bertie Cotton (or Alberta Cotton) should be denied under the provisions of the Act of July 1, 1902 (32 Stat. L., 641).

Following the ruling of the Department of July 10, 1906 (I.T.D 2548) in the case of William Jesse Bacon, the application for the enrollment of Jenny Lind (or Linn) Cotton, should be denied under the provisions of the Act of June 21, 1906 (34 Stat. L. 325).

It is therefore recommended that the decision of the Commissioner adverse to the applicant be approved.

Very respectfully,

C. F. Larrabee,

Acting Commissioner.

J.P.B.-NL.

C-92

~~C-[illegible]~~)-5204,

Muskogee, Indian Territory, April 17, 1907.

Bertie Cotton,

Ardmore, Indian Territory.

Dear Madam:

You are hereby advised that on February 26, 1907, the Secretary of the Interior affirmed the decision of this office of October 4, 1906, denying the application and petition for the enrollment of Bertie Cotton (or Alberta Cotton or Calloway) and Jenny Lind (or Linn) Cotton as citizens of the Cherokee Nation.

Respectfully,

Commissioner.

C-93

9-C-249

Muskogee, Indian Territory, April 17, 1907.

Thomas Norman,

Attorney at Law,

Ardmore, Indian Territory.

Dear Sir:

You are hereby advised that on February 26, 1907, the Secretary of the Interior affirmed the decision of this office of October 4, 1906, denying the application and petition for the enrollment of Bertie Cotton (or Alberta Cotton or Calloway) and Jenny Lind (or Linn) Cotton as citizens of the Choctaw Nation.

Respectfully,

Commissioner.

C-93

9-C-249

Muskogee, Indian Territory, April 17, 1907.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

You are hereby advisedthat on February 26, 1907, the Secretary of the Interior affirmed the decision of this office of October 4, 1906, denying the application and petition for the enrollment of Bertie Cotton (or Alberta Cotton or Calloway) and Jenny Lind (or Linn) Cotton as citizens of the Choctaw Nation.

Respectfully,

Commissioner.

-Copy -

REFER IN REPLY TO THE FOLLOWING:
Land.
87829-1906

DEPARTMENT OF THE INTERIOR,

OFFICE OF INDIAN AFFAIRS,

WASHINGTON.

February 15, 1907.

The Honorable,

The Secretary of the Interior.

0.93

Sir:

There is enclosed a report from the Commissioner to the Five Civilized Tribes, dated October 4, 1906, transmitting the record relative to the application for enrollment of Bertie Cotton (or Alberta Cotton or Calloway) and her daughter, Jenny Lind (or Linn) Cotton, as citizens of the Choctaw Nation. On October 4,1906, the Commissioner held that the applicants were not entitled to enrollment.

The record shows that Bertie Cotton and Jenny Lind Cotton were applicants to the Commission to the Five Civilized Tribes for admission to citizenship in the Choctaw Nation under the provisions of the Act of June 10, 1896 (29 Stat.,L.,321); that they were denied by the Commission on December 5, 1896; that an appeal was taken to the United States Court for the Southern District of the Indian Territory, which court on March 8, 1898, admitted the applicants.

This judgment was subsequently vacated by the Choctaw and Chickasaw Citizenship Court.

The cause was subsequently certified to the Choctaw and Chickasaw Citizenship Court for a trial de novo, and on November 29, 1904, this Court decided that the applicants were not

entitled to enrollment. This case does not come within the facts in the Lula West case.

A petition was filed on March 1, 1906,for the enrollment of Jennie Linn Cotton and Alberta Calloway nee Cotton,as citizens of the Choctaw Nation. In the petition it is alleged that Jennie Linn Cotton is the daughter of D. B. Cotton,deceased,and Alberta Cotton,a white woman, whose name was originally Alberta Smith; that prior to the marriage of D. B. Cotton and Alberta Smith, D. B. Cotton was married to Susan Le Flore, a citizen of the Choctaw Nation.

Following the ruling of the Department of February 3,1905, (I.T.D. 11582-1904) in the case of Emma McMenamin, the application for enrollment of Bertie Cotton (or Alberta Cotton) should be denied under the provisions of the Act of July 1, 1902 (32 Stat. L.,641).

Following the ruling of the Department of July 10,1906 (I.T.D. 2548) in the case of William Jesse Bacon,the application for enrollment of Jenny Lind (or Linn) Cotton,should be denied under the provisions of the Act of June 21,1906 (34 Stat. L. 325).

It is therefore recommended that the decision of the Commissioner adverse to the applicant be approved.

Very respectfully,

C. F. Larrabee,

Acting Commissioner.

J.P.B. - NL

Chac 5205 Amy P. Morgan

Nos 2-3-4-5 Dismissed May 27, 1904

5205

1

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

----o----

Record in the matter of the application for enrollment as citizens by blood of the Choctaw Nation of:

Callie B. Morgan, et al., 7-5205.

---ooo---

...w Court Card O. 250

...plication of Amy Pearl Morgan and others.

...nc.

Amy Pearl Morgan says:

I am wife of James C. Morgan. I was admitted as "Amy Pearl Vernon" I was married Agust 27th 1895 .

Callie B. was born August 22nd 1896; Basil B. was born January 26th 1898.

I have been living in the Chickasaw nation continuously for 8 years.

Ardmore, Sept. 23 1898.

Amy P. Morgan
Callie B. Morgan
Basil B. Morgan

enrolled.

CHOCTAW.

20

IN RE

Application for Enrollment of

INFANT CHILD

Chesley A. Morgan

as a citizen of the

Choctaw Nation.

Approved, JUN 30 1900 190

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
JUN 30 1900

ACTING CHAIRMAN.

CHOCTAW.

5205.

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Chesley Andrew Morgan, born on the 20 day of December, 1899
(Here insert name of child.)
Name of Father: James C. Morgan intermarried, a citizen of the Choctaw Nation.
Name of Mother: Amy Pearl Morgan (nee Vernon), a citizen of the Choctaw Nation.
Postoffice, Robberson, Ind. Ter.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY.
Southern District.

I, Amy Pearl Morgan (nee Vernon), on oath state that I am 20 years of age and a citizen, by blood, of the Choctaw Nation; that I am the lawful wife of James C. Morgan intermarried, who is a citizen, by marriage, of the Choctaw Nation; that a male child was born to me on the 20 day of December, 1899; that said child has been (male or female)
named Chesley Andrew Morgan, and is now living.

WITNESSES TO MARK:

Amie Pearl Morgan

(Must be Two Witnesses.)

Subscribed and sworn to before me this 2d day of June, 1900

S J Harley
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY.
District.

I, Jno B Morgan, a Physician, on oath state that I attended on Mrs. Amy Pearl Morgan, wife of Jno C. Morgan on the 20 day of December, 1899; that there was born to her on said date a Male child; that said child is now living and is said to have been (male or female)
named Chesley Andrew Morgan

WITNESSES TO MARK:

Jno B. Morgan M.D.

(Must be Two Witnesses.)

Subscribed and sworn to before me this 21 day of June, 1900

S J Harley
NOTARY PUBLIC.

CHOCTAW. INDEXED

IN RE

Application for Enrollment of

INFANT CHILD

James Cecil Morgan

as a citizen of

Choctaw Nation.

Approved JUN 9 1902 190

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
JUN 9 1902

ACTING CHAIRMAN.

CHOCTAW.

5205

BIRTH AFFIDAVIT. 20

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of James Cecil Morgan born on the 26 day of Feb, 1902
(Here insert name of child)

Name of Father: James E Morgan, a citizen of the intermarried Choctaw Nation.

Name of Mother: Annie P. Morgan, a citizen of the Choctaw Nation.

Post-office, Elmore, Ind Ter.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, }
INDIAN TERRITORY, }
Southern District. }

I, Annie P. Morgan, on oath state that I am 22 years of age and a citizen, by Blood, of the Choctaw Nation; that I am the lawful wife of James E Morgan, who is a citizen, by Marriage, of the Choctaw Nation, that a Male child was
(male or female.)
born to me on the 26 day of Feb 1902 that said child has been named James Cecil Morgan, and is now living.

Annie P Morgan

WITNESSES TO MARK

(Must be Two Witnesses) { Maud M. Taylor
E. E. Watson

Subscribed and sworn to before me this 2 *day of* June *1902.*

Wm Odell
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, }
INDIAN TERRITORY, }
Southern District. }

I, James D Taylor, a Physician, on oath state that I attended on Mrs. Annie P. Morgan, wife of James E. Morgan, on the 26 day of Feb, 1902; that there was born to her on said date a Male child; that said child is now living and is said to have been
(male or female.)
named James Cecil Morgan

James D. Taylor, M. D.

WITNESSES TO MARK:

(Must be Two Witnesses) { Isaac Taylor
G. H. Fowler

Subscribed and sworn to before me this 2 *day of* June *1902*

Wm Odell
NOTARY PUBLIC.

960

7-5205.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

----o----

In the matter of the application for the enrollment of Callie B. Morgan, Basil B. Morgan, Chesley A. Morgan and James Cecil Morgan as citizens by blood of the Choctaw Nation.

----o----

The applicants, Callie B. Morgan, Basil B. Morgan, Chesley A. Morgan and James Cecil Morgan, claim their right to enrollment as citizens by blood of the Choctaw Nation through their mother Amy P. Morgan. The right of the applicants' mother, Amy P. Morgan, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, March 21, 1904, in case No. 81, upon the South McAlester docket of said court, it is hereby ordered that the application of Callie B. Morgan, Basil B. Morgan, Chesley A. Morgan and James Cecil Morgan for enrollment as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Chairman.

Muskogee, Indian Territory,

MAY

Incl. 7-1904.

COPY. Choctaw 5204

Muskogee, Indian Territory, June 7, 1904.

Amy P. Morgan,

Elmore, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated May 27, 1904, dismissing the application for enrollment as citizens by blood of the Choctaw Nation of Callie B. Morgan, Basil B. Morgan, Chesley A. Morgan and James Cecil Morgan.

Respectfully,

SIGNED

Tams Bixby.

Chairman.

Registered.

Incl. 7-5204.

COPY. Choctaw 5205

Muskogee, Indian Territory, June 7, 1904.

Mansfield, McMurray & Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated May 27, 1904, dismissing the application for enrollment as citizens by blood of the Choctaw Nation of Callie B. Morgan, Basil B. Morgan, Chesley A. Morgan and James Cecil Morgan.

Respectfully,

(SIGNED)
Tams Bixby.
Chairman.

Registered.
Incl. 7-5205.

(See Choctaw 5334 for registry receipt for this Letter.)

I J. N. Arnold after being
sworn deposes and says that
he did on the 30 day of
August 1897 Registered to
the Hon Green McCurtain
Principal Chief Choctaw
Nation, the application
of Annie P Morgan, Exec'vx
for her child, Callie B.
Morgan, for citizenship
and enrollment, and
affidavit of M. A. Bronaugh
and certificate of the
judgment of the Hon. W H
H Cloyton Judge of the
Central Dist, and ten

J. N. Arnold

Subscribed and sworn
to before me this 30 day of
August 1897

J. D. Foster
Notary Public

My Com Exp April 5th 1901

THE STATE OF TEXAS

[illegible] authority this day personally appeared Mrs. M A [illegible] known to me to be by me duly sworn upon oath states that she is acquainted with Mrs. Annie P. Morgan (nee Annie P. Vernon) and has known her for about five years; that she knows Callie B Morgan and has known her all of her life; that she was present on the [illegible] day of May 1897 that she was present at the time of her birth and knows of her own personal knowledge that she is a child of Annie P. Morgan (nee Annie P. Vernon); that the affiant is in no way related to the said Callie B. Morgan, neither by blood or consanguinity.

M A Vernon

Subscribed and sworn to before me this the 26th day of August A. D. 1897

J S McCanless

Notary Public,

UNITED STATES OF AMERICA
CENTRAL DISTRICT
INDIAN TERRITORY.

In the United States Court in the Indian Territory, Central District, at a term thereof begun and held at South McAlester, in the Indian Territory, on the 26th day of August, 1897,

Present, the Honorable William H.H.Clayton, Judge of said Court

The following order was made and entered of record, to-wit:

D.B.Vernon et al,
Plaintiffs,

vs. Precedent for Judgment.

The Choctaw Nation,
Defendant.

On this 26th day of August A.D.,1897, the same being one of the days of the April A.D.,1897, Term of this court, this cause came on for trial on the report of the Master, W.B.Rutherford, appointed by this court for the purpose of finding and reporting the facts herein, and the plaintiffs and defendant appeared by their attorneys and announced ready for trial, and this cause is by agreement submitted to the court for decision and the court having heard the evidence on the part of both plaintiffs and defendant, and having considered the report herein, and being well and fully advised in the premises, doth confirm said report in every respect, and doth find that D.B.Vernon, male, age 46, John H.Vernon male age 23, Chesley Taylor Vernon male age 22 years, Lucy Vernon female age 19 years, Amy Pearl Vernon female, age 17 years, Sophia F.Vernon female age 14 years, Jim W.Vernon male age 13 years, Caswell B.Vernon male age 11 years, Clydie B.Vernon, male age 9 years, Ivey L. Vernon female age 7 years, Ida Vernon, female age 3 years, M.J.Vernon female age 46, George W.Verhon, male age 20 years, Theodosha E. Vernon, female age 18, Louisa T.Vernon, female age 17 yeasw, Robert

F.L.Vernon, male age 15 years, Francis M.male 12 years of age, Manda A.Vernon, femal- age 11, Samuel H.Vernon, male age 9 years, and Gracie T.Vernon, female age 5 years, are citizens of the Choctaw Nation and that all of said above named plaintiffs are citizens by blood of the Choctaw nation, excepting M.J.Vernon, who is a citizen by intermarriage,-

It is therefore, ordered, considered and adjudged by the court that said plaintiffs, above named, be and hereby admitted to citizenship in the Choctaw Nation with all the rights, privileges and benefits of such citizens aforesaid in and to the Choctaw Nation

The Court further finds that the other applicants herein were not residents of the Indian Territory at the time of filing their application before the Commission to the Five Civilized Tribes and did not reside therein at the time their appeal herein was taken , and the same hereby are denied, to-wit: J.F.Vernon, male age 33, M.A.Vernon female age 7 years, W.J.Vernon, male age 5 years, W.B.Vernon male age 4 years, Maud Vernon female age 3 years, Frank Vernon male age 2 years, Arnold Vernon male age 7 months, R.H.Vernon male age 36 years, Ella Vernon female age 20 years, Pearlie May Vernon female age 2 years, Irene Vernon female age 7 weeks, Bradford C.Vernon male age 44 years, C.P.Vernon male age 19 years, D.C.Vernon male age 17 years, E.J.Vernon male age 11 years, J.Y.Vernon male age 9 years, B.C.Vernon male age 6 years, J.M Vernon male age 3 years and G.W.Vernon male age 39 years. And the court further finds as a question of fact that the above denied plaintiffs herein are descendants of Mississippi Choctaws, and that they are denied because their residence in the Indian Territory is not established.

It is further ordered and adjudged by the court that the clerk of this court shall transmit to the Commission to the Five Civilized Tribes a certified copy of this judgment and decree

and that said Commission shall place the names of the plaintiffs admitted to citizenship in this action, named above, upon the rolls prepared or to be prepared by them of the citizens and members by blood of the Choctaw Nation, excepting the name of M.J.Vernon, which name shall be placed by said Commission upon the rolls prepared or to be prepared by them of the citizens and members by intermarrriage of the Choctaw Nation and Tribe of Indians; that such persons so admitted as citizens and members of the Choctaw Nation as aforesaid shall be entitled to all the rights, privileges, immunities and benefits of citizens of the Choctaw Nation in all respects.

It is further ordered that the plaintiffs have and recover of and from the Choctaw Nation one half of all their costs in this behalf laid out and expended, for all of which let execution issue

~~W.H.H.Mundrey~~.

~~(C.K.) (Gordon)~~

I E.J.Fannin hereby certify that the above foregoing is a true & perfect copy of the judgment rendered in the above entitled cause on the 26 day of August as the same appears of record in this office E.J. Fannin Clerk.

Clerk U.S Court

Annie P Morgan (Mrs Brown)
For her Child

Callie B. Morgan

Vrs

Choctaw Nation

FILED

SEP 4. 1907

W. Mo. Jamison

SEC'Y.

Doc 5205

Application for Enrollment
Before the United States Commission to
the five Civilized tribes

Annie P. Morgan (nee Vernon) Petitioner
Vrs
Choctaw Nation Respondent
} Application for admittance and Enrollment

To the above mentioned Honorable Commission
Gave petitioner Annie P. Morgan (nee Vernon) States
that She and her husband J.C Morgan
were on the 26 day of August A.D. 1897
together with her Parents Doctor B. Vernon
(and) Athen Were by the Honorable W.H.H.
Clayton United States Judge for the Central
District of the Indian Terr held at
South McAlester I.T.
And by the said Court duly Enrolled
As Members of the Choctaw tribe of Indians
in the Choctaw Nation
and See Judgement of Court here attached

Gave petitioner further States that
on Feb 20 day of ~~September~~ May 1897 there was
born to them a Child named Callie.
B. Morgan
Wherefore Gave petitioner prays that said
Callie. B. Morgan born to Gave petitioner
as Lawful Wedlock since her petition
Was filed before this Honorable Court

Above Mentioned as passed their
Ons

Wherefore your petitioner pray she be
Enrolled and admitted to all the
rights benefits privileges and immunities
of other Choctaw Indians in and to
the Choctaw Nation

Annie P. Morgan
Nic. Annie P. Morgan

Subscribed and Sworn to before me
this 28 day of August A.D. 1897

J. S. Allen
Notary Public

Muskogee, Indian Territory, June 30th, 1902.

Mr. J. B. Arnold,
Attorney at Law,
Ardmore, Indian Territory.

Dear Sir:-

The Commission is in receipt of your letter of the 28th inst enclosing an application for the enrollment of Cheeley Andrew Morgan, the infant son of James G. and Amy A. Morgan as a citizen of the Choctaw Nation, and the same being in proper form, has been duly filed with the records of this Commission.

Yours truly,

Acting Chairman.

7-5205

Muskogee, Indian Territory, June 3, 1902.

James C. Morgan,

Elmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Cherokee Nation of James Cecil Morgan, infant son of James C. and Annie P. Morgan, born February 26, 1902, and the same being in proper form has been duly filed with the records of the Commission and the child listed for enrollment as a citizen of the Cherokee Nation.

Yours truly,

Acting Chairman.

7-5206

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the application for enrollment as a citizen by blood of the Choctaw Nation of:

J. F. TURNER.

7-5206

COPY

Muskogee, Indian Territory, September 20, 1904.

J. F. Turner,

Ardmore, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated September 20, 1904, dismissing your application for enrollment as a citizen by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

Tams Bixby.

Chairman.

Registered.

Incl. 7-5206.

COPY.

Muskogee, Indian Territory, September 26, 1904.

G. L. Herbert,
Attorney at Law,
Ardmore, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated September 24, 1904, dismissing the application for the enrollment of J. F. Turner as a citizen by blood of The Choctaw Nation.

Respectfully,

WRC/NEW

Tams Bixby.

Chairman.

Registered.
Inal. T-3206.

7-5206

COPY:

Muskogee, Indian Territory, September 30, 1904.

Ledbetter & Bledsoe,

Attorneys at Law,

Ardmore, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated September 30, 1904, dismissing the application for the enrollment of J. F. Turner, as a citizen by blood of the Choctaw Nation.

Respectfully,

Tams Bixby.

Chairman.

Registered.

Incl. 7-5206.

COPY. 5206

Muskogee, Indian Territory, September 20, 1904.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission, dated September 20, 1904, dismissing the application for the enrollment of J. F. Turner as a citizen by blood of the Choctaw Nation.

Respectfully,

SIGNED

Tams Bixby.

Chairman.

Incl. 7-5206.

Choctaw Court Card No. 251

Application of J.F.Turner.

by Commissioner Kennon.

J.F.Turner says:

I have been living in the Chickasaw Nation since 1883.

Ardmore, Sept. 23 1898.

J.F.Turner

enrolled.

C O P Y .

Indian Territory,
Central Judicial District
OK

To the Hon. Dawes Commission.

Your petitioners John Franklin Turner, and his children and his wife Katie Turner and their children Martin Franklin Turner aged 6 years and Myrtle L. Turner, aged 4 years, and a brother of petitioner Albert Turner and his sister, Susie Percer, now deceased, and whose children Walter Percer, aged 12 years, Wiley Percer, aged 10 years and Ludiany Percer aged 7 years, are now residing with your petitioner, J. Frank Turney, and who are represanted by your petitioner as their next friend would respectfully show unto your honor that they are Choctaw Indians by blood and residents of the Choctaw and Chickasaw nation, and been residents of the said nations all their life, that they deseended from Nat Fulsom, a Choctaw Indian by blood, who died in the Stats of Mississippi. That their grandmother as they are informed was a full blood Choctaw woman as shown by the affidavits herewith filed and made a part hereof. That these petitioners have always been treated and regarded as a citizen by blood of the Chickasaw Nation. That they have always owned and enjoyed lands and have been allowed the priveleges of a full blood Choctaw citizen. That the affidavits herewith filed sustain the facts as alleged herein and that, the petitioner John F. Turner was married in 1888 to his wife Katie Turner who was at that time a Mrs. Samuels, that he was not required to procure license to marry said Mrs. Samuls, for the reason that she was a Cherokee Indian residing in the Choctaw country and according to a custom and usage long existing and prevailing in the Chickasaw nation it was unnecessary for a Chickasaw Indian to get license to marry a Choctaw Indian or for a Choctaw Indian to first procure license to marry a Cherokee woman. The marriage record is herewith attached as evidence of the same, and said record is made in the Chickasaw Nation by the tribal authorities of said Chickasaw Nation. Petitioner further represent that they are permitted by the Chickasaw authorities to employ tenants and laborers, as fully as any member of said tribe, and tht said petitioners verily believe that they are entitled to citizenship in said Choctaw Nation.

Wherefore the premises consicered your petitioner prays that John F. Turner and his wife Katie Turner, and their children Martin Franklin Turner, Myrtle L. Turner and the orphan children of Mrs. Susie Purcer, towit: Walter Percer, Wiley Percer Ludiany Purcer and Albert Turner, aged 26, be enrolled as members of the Choctaw tribe of Indians. Your petitioner refers to the affidavits herewith filed and asks that he and his brother

and children as well as the children of his sister Mrs. Fersar, be enrolled as members by blood of the Choctaw Nation, and that his wife Katie Turner be enrolled under Articles 35 and 36 of the Treaty of 1866, as a member by marriage of the said Choctaw Nation.

(Signed John X P. Turner
his
mark

Attest.
G. A. Pate

John P. Turner being duly sworn says on oath that the foregoing petition is true to his personal knowledge.
Sworn to and subscribed before me this Aug. 31st, 1896.
(Signed) G. A. Pate

(Notary Public Seal)

C O P Y .

United States of America,
Indian Territory,
Central District.

IN THE UNITED STATES COURT in the Indian Territory Central District at a Term begun and held at South McAlester in the Indian Territory, August the 25th, 1897.

Present: The Honorable Wm. H. H. Clayton, Judge of said Court.

The following order was made and entered of record, towit:
WEDNESDAY, August 25th, 1897
Dr. J. F. Turner
No. 124, vs.
Choctaw Nation.
It is ordered by the court that the defendant, the Choctaw Nation, be allowed 15 days in which to take testimony herein.

. . . . . .

Be it remembered that on the 8th day of October, 1897, the following order was made and entered of record, to-wit:
FRIDAY October 8th, 1897.
J. F. Turner
vs No. 124
Choctaw Nation.
The above entitled cause coming on to be heard this the 8th day of October, 1897, and the court having heard all the law and evidence adduced by both parties and being fully advised in the premises, it is therefore by the court ordered, adjudged and decreed that the decision and judgment of the Honorable Commission to the Five Civilized Tribes admitting claimants to citizenship in the Choctaw Nation is hereby affirmed and claimant, J. F. Turner, is hereby admitted to citizenship in the Choctaw Nation, and it is ordered that his name be placed upon the rolls of the Choctaw citizens prepared or to be prepared by the United States Commission to the Five Civilized Tribes; that said Commission is hereby directed to place the name of J. F. Turner upon said rolls, and the Clerk of the Court is hereby directed to furnish the said Commission with a true and perfect copy of his judgment decree and order and that the plaintiff have and recover of and from the defendant the Choctaw Nation all his costs herein laid out and expended.

United States of America,
Central District,
Indian Territory.
I, E. J. Ramsie, Clerk of the United States Court inand for the Central District of the Indian Territory, do hereby certify that the above and foregoing is a true and correct transcript of the record entries in the case of J. F. Turner vs. Choctaw Nation, No. 124, as the same appear of record in my office at South McAlester in said District.
In witness whereof I have hereunto set my hand as Clerk

and affixed the seal of said Court at my office in South McAlester in said District this 31st day of July, 1906.

(Signed) R. J. Famin,
Clerk.

(SEAL).

C O P Y .

DEPARTMENT OF JUSTICE
UNITED STATES COURT in the
Indian Territory, Central District.
E. J. Fannin, Clerk.

South McAlester, July 31st, 1905.

Hon. Tams Bixby,
Commissioner to the Five Civilized Tribes
Muskogee, Ind. T.

Dear Sir:

I am in receipt of your favor of the 29th inst. in reference to the papers in the case of J. F. Turner vs. Choctaw Nation, No. 124.

In reply will say, that I enclose herewith a transcript of the record entries made in said cause.

It does not appear from the record that this case was ever referred to a Commissioner or Master. There is however a record entry made on the 25th day of August, 1897, giving the Choctaw Nation fifteen days in which to take testimony, but there is nothing of record showing that this order was ever complied with, at least there is no record showing that the testimony was filed in court.

I have made a search through the files and the papers sent you are all the original papers I am able to find.

Very respectfully,
(Signed) E. J. Fannin,
Clerk.

Endorsed:
Indexed.
Commissioner to Five Tribes.
No. 36741-1905.
Received Aug. 1, 1905.
Fannin, E. J.
South McAlester, I.T.
Choctaw Nation.
July 31, 1905.

Encloses transcript of record entries in
Choctaw citizenship case of J. F. Turner.
Choc-Chic-Enrollment.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

I, Frances R. Lane, stenographer to the Commissioner to the Five Civilized Tribes do hereby certify that the foregoing is a true, accurate and correct copy of all the original records and papers in the Choctaw Citizenship case of J. F. Turner et al, No. 124, on file in the United States Court for the Central District of Indian Territory, together with a transcript of the docket entries in said case, which said record and transcript of docket entries were forwarded to this office at the request of the Commissioner by E. J. Fannin, Clerk of said United States Court on July 27 and 29, 1905.

Frances R Lane

Subscribed and sworn to before me this September 8, 1905.

Edward Merrick.
Notary Public.

The above mentioned record was returned to said E. J. Fannin, Clerk of the United States Court for the Central District, on the 8th day of Sept., 1905.

Lane

C O P Y .

Indian Territory.
Chickasaw Nation.

Before me the undersigned authority on this day personally appeared J. F. Turner and Katie Turner who being by me duly sworn on oath state that they have never received any notice of the fact that the case of J. F. Turner et al vs. the Choctaw nation had been appealed by the Choctaw Nation from the Dawes Commission to the United States Court for the Central District of the Indian Territory. And they did not know that such appeal had been taken until a few days ago when they were informed by an outside party that the appeal was pending at South McAlester.

(Signed) Kattie Turner
his
J. F. X Turner
mark

Subscribed and sworn to before me this 2nd day of October, 1897

(Fred C. Carr,
Notary Public.

(SEAL).

Endorsed:

#124
J. F. Turner et al
v
Choctaw Nation.

Affidavit.

NF.

7-5206.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of J.F. Turner, as a citizen by blood of the Choctaw Nation.

------:------:------

It appears from the records of the Commission to the Five Civilized Tribes that on September 7, 1896, in the case entitled "J. F. Turner, et al., vs. Choctaw Nation" (1896 Choctaw Citizenship Docket, case number 295), the applicant, J.F. Turner, made original application to said Commission under the provisions of the Act of Congress approved June 10, 1896, (29 Stat.,321), for admission to citizenship in the Choctaw Nation as a citizen by blood, and on December 2, 1896, the said J.F. Turner, was by the Commission to the Five Civilized Tribes admitted as a citizen by blood of the Choctaw Nation. From this decision of the Commission an appeal was taken by the Choctaw Nation to the United States Court for the Central District of Indian Territory, which court, in the case entitled "J.F. Turner, vs. Choctaw Nation" (citizenship case number 124), affirmed the decision of the Commission admitting the said J.F. Turner, as a citizen by blood of the Choctaw Nation.

It further appears from the records in the possession of the Commission, that on December 17, 1902, the Choctaw and Chickasaw Citizenship Court, created by the provisions of the Act of Congress approved July 1, 1902, (32 Stat., 641), "set aside, annulled, vacated and held for naught", the aforesaid judgment of the United States Court for the Central District of Indian Territory. Said cause has not been appealed or certified to the said Choctaw and Chickasaw Citizenship Court for a trial de novo within the time prescribed by the provisions of said Act of Congress approved July 1, 1902.

In accordance with the opinion of the Acting Attorney General dated May 9, 1904, (I.T.D. 3824-1904), and the opinion of the Assistant Attorney General for the Department of the Interior dated July 30, 1904,(I.T.D. 3246-1904), the Commission to the Five Civilized Tribes is without authority to take any action of any character looking to the enrollment of J.F. Turner, as a citizen by blood of the Choctaw Nation, and it is, therefore, hereby ordered that the application of J.F. Turner, for enrollment as a citizen by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Muskogee, Indian Territory.

SEP 20 1904

#124

J. F. Turner
vs.
The Choctaw Nation.

The above entitled cause coming on to be heard this the 6th day of October, 1897, and the Court having heard all the law and evidence adduced by both parties, and being fully advised in the premises it is therefore by the Court ordered adjudged and decreed that the ~~decision and judgment of the Honorable~~ Commission to the Five Civilized Tribes admitting claimant to citizenship in the Choctaw Nation is hereby affirmed and claimant J. F. Turner is hereby admitted to citizenship in the Choctaw Nation, and it is ordered that his name be placed upon the rolls of the Choctaw citizens prepared or to be prepared by the United States Commission to the Five Civilized Tribes of Indians; that said Commission is hereby directed to place the name of J. F. Turner upon said rolls and the clerk of this court is hereby directed to furnish the said commission with a true and perfect copy of this judgment decree and order and that the plaintiffs have and recover of and from the defendants the Choctaw Nation all their costs herein laid out and expended.

(No signature.

Endorsed:
#124.
J. F. Turner
vs.
the Choctaw Nation.

Judgment.

furnished
by Potter & Bowman
Ardmore IT.
Attys. for claimant.

/

C O P Y .

Indian Territory,
Central Judicial District
OK

To the Hon. Dawes Commission.

Your petitioners John Franklin Turner, and his children and his wife Katie Turner and their children Martin Franklin Turner aged 6 years and Myrtle L. Turner, aged 4 years, and a brother of petitioner Albert Turner and his sister, Susie Percer, now deceased, and whose children Walter Percer, aged 12 years, Wiley Percer, aged 10 years and Ludiany Percer aged 7 years, are now residing with your petitioner, J. Frank Turner, and who are represented by your petitioner as their next friend would respectfully show unto your honor that they are Choctaw Indians by blood and residents of the Choctaw and Chickasaw nation, and been residents of the said nations all their life, that they deseended from Nat Fulsom, a Choctaw Indian by blood, who died in the Stats of Mississippi. That their grandmother as they are informed was a full blood Choctaw woman as shown by the affidavits herewith filed and made a part hereof. That these petitioners have always been treated and regarded as a citizen by blood of the Chickasaw Nation. That they have always owned and enjoyed lands and have been allowed the priveleges of a full blood Choctaw citizen. That the affidavits herewith filed sustain the facts as alleged herein and that, the petitioner John F. Turner was married in 1888 to his wife Katie Turner who was at that time a Mrs. Samuels, that he was not required to procure license to marry said Mrs. Samuls, for the reason that she was a Cherokee Indian residing in the Choctaw country and according to a custom and usage long existing and prevailing in the Chickasaw nation it was unnecessary for a Chickasaw Indian to get license to marry a Choctaw Indian or for a Choctaw Indian to first procure license to marry a Cherokee woman. The marriage record is herewith attached as evidence of the same, and said record is made in the Chickasaw Nation by the tribal authorities of said Chickasaw Nation. Petitioner further represent that they are permitted by the Chickasaw authorities to employ tenants and laborers, as fully as any member of said tribe, and that said petitioners verily believe that they are entitled to citizenship in said Choctaw Nation.

Wherefore the premises considered your petitioner prays that John F. Turner and his wife Katie Turner, and their children Martin Franklin Turner, Myrtle L. Turner and the orphan children of Mrs. Susie Purcer, towit: Walter Percer, Wiley Percer Ludiany Purcer and Albert Turner, aged 26, be enrolled as members of the Choctaw tribe of Indians. Your petitioner refers to the affidavits herewith filed and asks that he and his brother

[redacted]

Attest.
O. A. Pate .

John F. Turner being duly [redacted] says on oath that the foregoing petition by true to his [redacted] knowledge.
Sworn to and subscribed before me this 6th. 31st, 1898.
(Signed) O. A. Pate

(Notary Public Seal)

The Chickasaw Nation)
County of Pickens)

Before the Honorable
Dawes Commission

OK

Before me J. S. Scarbrough, a Notary Public for the Southern Judicial District, personally appeared Wm. H. Moore who being duly sworn upon his oath deposes as follows: I am a Choctaw Indian citizen by blood and am recognized as such; am 37 years old. I am well acquainted with Jno. Franklin Turner, Albert Turner (and Susie Percer nee Turner deceased). Have known them for the past 18 or 20 years, and to the best of my knowledge and belief they are Choctaw I dian citizens by blood, and have been always recognized as such by said Choctaw Nation or tribe of Indians.

his
(Signed) W. H. X Moore
mark

Subscribed and sworn to before me this the 29th day of Aug. 1896.

(Signed) J. S. Scarbrough
Notary Public
Southern District

(SEAL).

C O P Y.

Indian Territory
Southern Judicial District.

OK

Before me, Robert S. Bell, a Notary Public in and for the Southern District of the Indian Territory and in Pickens county, this day personally appeared Elizabeth Brooks, to me well known, who on her oath declares as follows: I am well acquainted with John Franklin Turner, have known him about ten or twelve years; I know him to be an Indian citizen by blood; he is a Choctaw and Chickasaw both; I am a Chickasaw Indian by blood, my age is fifty-four years. I have lived all my life in the Chickasaw Nation.

(Signed) Elizabeth her mark Brooks

Witness
J. W(?)Thompson

Subscribed and sworn to before me this eighth day of August, 1896 at Woodville, Ind. Ter.

(Signed) Robert S. Bell,
Notary Public
Southern District,
Ind.Ter.

(SEAL)

C O P Y .

-5-

Chickasaw Nation, Ind. Ter.)
County of Pickens.)

I, Guy Keel, Clerk of the County Court of Pickens County, Chickasaw Nation, Ind. Ter., do hereby certify that the foregoing was duly filed for record and correctly recorded on page 297 on general records of Pickens Co., C. N.

Witness my hand and the seal of said County at office in Pickens county this 9th day of March, A. D., 1896.

(Signed) Guy Keel
District and County Clerk,
Pickens County, Chickasaw Nation.

(SEAL).

C E R T.

Overbrook, I. T. July [illegible], 1884.

This is to Certify that [illegible] and [illegible] to the Summons were united by me [illegible] in the presence of the Witness of the Bride [illegible] Territory on the [illegible] of our Lord 1884 In the Presence of [illegible]

Solgned by me

(Signed) M. L. Martin
I S

July 29, 1884 in the year of our Lord

-2-

C O P Y .

Lebanon, I. T.

Marriage Record of Pickens County 1896.

This is to certify that Mr. J. F. Turner and Mrs. Katie Samells were united by me in holy Matrimony at the Residence of the Pickens County B. I. T. on the 29th day of July in the year of our Lord 1888 in presents of god and competent witness

Signed
M. L. Martin
Minister Gospel
July 29th A. D. 1888.

I hereby certify that above is a true and correct copy of original handed me for record and duly recorded in Page 297, on Marriage Record of Pickens County Chickasaw Nation Indian Territory.

Witness my hand and official seal at my office This 9th day of March, A. D., 1896.

(Signed) Guy Keel,
County Clerk P.C.C.N.

(SEAL).

C O P Y .

Indian Territory,
Southern Judicial District

Before me Robert S. Bell, a Notary Public in and for the Southern Judicial District of the Indian Territory, this day personally appeared Lucy C. Thompson, to me well know who, on her oath declares as follows:

My name is Lucy C. Thompson, my maiden name was Lucy C. Jerzan. I am a niece of Mrs. E. A. Flack who was by blood a Choctaw Indian, with whom General Armstrong was well acquainted at Atoka, Ind. Ter. about the year 1870. I am well acquainted with John Franklin Turner, have known the Turner family twenty or twenty-five years; I know him to be an Indian by blood, he being closely related to the Pytchlins of the Choctaw nation Also he is a cousin of mine. John Franklin Turner's grandmother was a full blood Indian but I do not recollect her name.

her
(Signed) Lucy C X Thompson
mark

Witness
J. P. Thompson.

Subscribed and sworn to before me at Woodville, Ind. Ter. this 8th day of August, 1896.

(Signed) Robert S. Bell,
Notary Public
Southern District,
Ind.Ter.

(SEAL).

C O P Y .

Indian Territory. OK
Third Jud.Div.

Personally came before me a Notary Public in and for the aforesaid Third Jud.Div.Ind.Ter., Mrs. Rhoda Howell who being duly sworn states: That she is a Choctaw Indian by blood and that she has resided in the Ind.Ter. for 86 years and that she is 81 years old and that Mrs. Dibble (who was the grandmother of Mrs. Frank Murrey) her mother was a daughter of Nat Folsom. Fanny was her name and her mother was a full blooded Choctaw Indian. She first married a man by the name of Mitchell, and after he died she married John Turner Peter Peachlyns first wife was her sister. The Claimants H. B. Turner is blood kin to the Folsoms. Said Nat Folsom was an uncle of the affiant's mother and her mother's name was Sophia Peachlyn and her father's name was Ebenezer Folsom. So the claimant is blood kin to the affiant, H. B. Turner, J. F. Turner, Susie Percer. Signed this 28 day of Nov. 1893.

her
Rhoda X Howell
mark

Witness to Signature
A. Searcy.

Subscribed and sworn to before me this 28 day of Nov._____
(Note: The year is torn off from the original)
(Signed)M. F. Myers,
Notary Public.

(No seal)

C O P Y .

The Chickasaw Nation
County of Pickens

Before the Honorable Dawes Commission.

On this the 29th day of Aug 1896 personally appeared before me J. S. Scarbraugh, a Notary Public for Southern District of Ind. Ter. Mrs. Nannie Moore (nee Turner) to me personlly well known who being duly sworn deposes as follows: I am a Choctaw Indian citizen by both blood and marriage. I personally well know my half sister Susie Percer nee Turner, now deceased. and know that Jno. Turner was her father -as also the father of Jno. F. Turner Albert Turner and myself Nannie Moore nee Turner. By the marriage of my half sister Susie Turner to Jim Percer there was born to them three children namely Walter Percer age 12 years, Wiley Percer age 10 years and Ludinie a girl age 7 years, who reside with their uncle Jno. F. Turner, near Ardmore, Ind. Ter.

her
Nannie X Moore
mark

Subscribed and sworn to before me this the 29th day of Aug A. D., 1896.

(Signed) J. S. Scarbrough
Notary Public,
Southern District
Ind.Ter.

(SEAL) .

Note.
The forego ing pages from 1 to 10 inclusive, are bound together and endorsed as follows?

Original
Case No. 124
J. F. Turner
Application for Citizenship
Choctaw Nation

Filed Sept. 7/96
H. M. Jacoway,
Secy.

Filed Feb. 22, 1897
P. B. Stoner, Clerk

G. A. Pate, Atty.
Atoka, Indian Territory.

C O P Y.

In the matter of the claim of John F. Turner for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of his cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer herein says:

That there is no evidence that this claim has ever been disputed by the Choctaw Nation.

John F. Turner.

(Signed) The Choctaw Nation
By Stuart, Gordon & Hailey,
Its Attorneys.

Endorsed:
124
Claim of John F. Turner
For Choctaw Citizenship
Filed Feb. 22, 1897
P. B. Stoner, Clerk
Answer Filed Oct. 6, 1896,
H. M. Jocoway, Secy.
Stuart, Gordon & Hailey, Attorneys.

C O P Y .

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

OK

Fort Smith, Ark., Dec. 2, 1896.

295	Filed Sept. 7, 1896. Answer filed. Application of John Franklin Turner Kitie Turner his wife and Martin Franklin Turner 6 Myrtle L 4 their children and Albert Turner Walter 4 Wiley Percer 10 Ludiany Percer 7 granted citizens by blood G. A. Pate, Atoka, I. T.
J. F. Turner et al	
vs.	
Choctaw Nation.	

I, H. M. Jacoway, Jr., Secretary, do hereby certify that the above and foregoing is a true and correct copy of Choctaw Record C., page 249, of the Commission to the Five Civilized Tribes.

Given under my hand and official signature this the 15th day of Feby. 1897.

(Signed) H. M. Jacoway, Jr.
Secretary

By Henry Stump, Act.

Endorsed:
124
Filed Feb. 22, 1897
P. B. Stoner, Clerk.

C O P Y .

IN THE UNITED STATES COURT FOR THE CENTRAL DISTRICT OF THE INDIAN TERRITORY AT SOUTH McALESTER.

Dr. J. F. Turner, Plaintiff
vs.
The Choctaw Nation, Defendant.

PETITION FOR APPEAL.

Comes now the Choctaw Nation by its attorneys and shows to the Court that the plaintiff Dr. J. F. Turner, filed with the Dawes Commisd on his application for citizenship in the Choctaw Nation. And that on the ____ day of December, 1896, judgment was rendered in his favor by the said Dawes Commisd on, admitting him to citizenship in the said Choctaw Nation.

That said plaintiff made application for citizenship on the ground that he had married a Choctaw Indian Woman. And your petitioner would show to the court that said marriage was not according to Choctaw law; and that after his marriage with the alleged Choctaw woman, claimant, J. F. Turner, was married to a white woman a citizen of the United States.

That the Dawes Commission erred that in holding that in order to obtain a right as a citizen in the Choctaw Nation it was not necessary for the said claimant to comply with the Choctaw law governing such marriages; and in holding that the subsequent marriage to a citizen of the United States did not divest the said J. F. Turner of such rights as he may have acquired in the Choctaw Nation. And the said Choctaw Nation being aggrieved by the judgment of the said Dawes Commission, herewith presents this petition for appeal, and prays that this court will hear and determine this cause as provided by law. And that an order be made upon the Dawes Commission to forward to the Clerk of this court all papers which have been filed in this cause.

(Signed) Wm. M. Cravens,
Stuart, Gordon & Hailey,
Attorneys for Choctaw Nation.

Endorsed:
No.124.
Dr. J. F. Turner, Plaintiff
vs.
The Choctaw Nation, Defendant.

Filed Jan. 30, 1897.
P. B. Stoner, Clerk
Petition for Appeal.
Wm. M. Cravens and
Stuart, Gordon & Hailey,
Attorneys for Choctaw Nation.

COPY.

DEPARTMENT OF JUSTICE
UNITED STATES COURT in the
Indian Territory, Central District.
E. J. Fannin, Clerk.

South McAlester, July 27th, 1905.

Hon. Tams Bixby,
Commissioner to the Five Civilized Tribes.
Muskogee, Ind. Ter.

Dear Sir:

I am in receipt of your communication of the 26th instant asking for the original papers in Citizenship case No. 124, J. F. Turner et al vs. The Choctaw Nation, together with your receipt for the same.

In compliance with the above request I herewith enclose the original papers in said case and respectfully request that the same be return as soon as possible.

Ver Respectfully,
(Signed) E. J. Fannin,
Clerk.

Endorsed:
Indexed
Commissioner to Five Tribes
No. 36248-1905.
Received Jul. 28, 1905.

Fannin, E. J.
South McAlester, I.T.
Choctaw Nation.
July 27, 1905.

Transmits original papers in
Choctaw citizenship case of
J. F. Turner et al.
Choc-Chic Enrollment.

C O P Y .

So. McAlester I. T.
Sept. 4th, 1896.

Received this day, papers purporting to be copies, in the claim of J. Frank Turner for Choctaw Citizenship as follows:

Petition; Affidavits of W. H. Moore, Elizabeth Brooks, Rhoda Harell, Lucy C. Thompson, Nannie Moore.

(Signed) Stuart, Gordon & Hailey
Attys. for Choctaw Nation.

Muskogee, Indian Territory, August 1, 1900.

Mr. R. C. Turner,

Owl, Indian Territory,

Dear Sir:

The Commission is in receipt of your letter of July 28th, in which you inquire if Albert Turner or J. F. Turner are duly registered for enrollment, and state that they appeared before the Commission at Ardmore.

In reply to your letter, you are advised that a careful search of the records of the Commission does not disclose the name of Albert Turner as having been listed for enrollment as either a Choctaw or Chickasaw, but J. F. Turner, forty two years of age, of Ardmore, Indian Territory, appears duly listed for enrollment as a citizen of the Choctaw Nation, pursuant to judgment of the United States Court for the Indian Territory, rendered at South McAlester, October [illegible], 1897, in court case Number 124. It is supposed that this is the party of whom you inquire.

Yours truly,

Acting Chairman.

T-3206

Muskogee, Indian Territory, August 24, 1900

Mr. D. B. Vernon,

Lone Grove, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of the 17th instant, in which you desire to be informed whether there appears upon any rolls of the Choctaw or Chickasaw Nations, the name of John J. or J. F. Turner and if so to be given the full status of his case.

You are informed that the records of this Commission show that J. F. Turner, 42 years of age, was listed for enrollment by this Commission as a citizen of the Choctaw Nation, September 23rd, 1898, having been admitted to citizenship in that Nation by a judgment of the United States Court for the Southern District of the Indian Territory at South McAlester, Indian Territory, on October 8th, 1897 in court case No. 124, his status of citizenship in the Choctaw Nation being identical with yours, having been admitted by the same authorities.

Yours truly,

Acting Chairman.

7-5206

Choctaw D 49;D 46;
Choctaw D 389;3847
3417;3809; 3478.

Muskogee, Indian Territory, September 19,1902.

D. C. McCurtain,

South McAlester, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of September 15, asking if the following named persons are citizens of the Choctaw Nation, as appears from the Choctaw rolls now in the possession of the Commission, or as listed for enrollment by the Commission, and stating that if found they will appear on the Blue County roll:

D. C. Giddeon, John Gravitt,
E. G. Baxter, Reuben Paddick,
William Askew, James Alexander.

In reply to your letter you are advised that it appears from our records that David C. Gideon, fifty years old, was, on August 24, 1899, listed by the Commission , on its doubtful list, as an intermarried citizen of the Choctaw Nation, his residence at that time being Caddo, Blue County, Indian Territory. No decision has yet been rendered by the Commission relative to the final rights of David C. Gideon to enrollment as an intermarried citizen of the Choctaw Nation.

It also appears from our records that Elisha Baxter, forty four years of age, of Blue County, was on August 22, 1899, listed for

enrollment as an intermarried citizen of the Choctaw Nation, having been admitted to such intermarried citizenship by this Commission in 1896, in Dawes Commission case Number 196, and his name having been identified from the 1896 Census Roll of Blue County, being Number 14,322. It does not appear from our records that any person by the name of W. S. Baxter has been listed for enrollment as a citizen of the Choctaw Nation, and it is believed that this is the person to whom you refer.

It appears from our records that several persons named William Askew have been listed for enrollment as citizens of the Choctaw Nation, and before any definite information can be given you it will be necessary for you to state the full name, age, and such other information as would enable the Commission to identify the William Askew concerning whom inquiry is made.

It appears from records that a Johnnie Gravitt, three years old in 1899, the son of Mamie Gravitt, a citizen of the Choctaw Nation, and John Gravitt, a non citizen of the Choctaw Nation, has been listed for enrollment as a citizen by blood of the Choctaw Nation. It does not appear from our records that any application has been made by John Gravitt, husband of Mamie Gravitt, for enrollment as an intermarried citizen of the Choctaw Nation.

It appears from our records that Reuben W. Paddock, twenty one years of age, of Caddo, Indian Territory, was, on August 24,1899, listed for enrollment by the Commission as a citizen by blood of the Choctaw Nation, having been identified from the 1896 Census Roll of Blue County, Choctaw Nation as Number 10475 thereon.

D.C.M. 3

It further appears from our records that James Alexander, thirty five years of age, of Rum, Indian Territory, was on September 30, 1898, listed for enrollment among the doubtful citizens of the Choctaw Nation, as an intermarried Choctaw, having been admitted to such intermarried citizenship in 1896 by this Commission in case Number 1130, and no appeal taken to the United States Court in Indian Territory. No decision has yet been reached nor opinion rendered relative to the final rights of this party to enrollment as an intermarried citizen of the Choctaw Nation.

It also appears from our records that another, James M. Alexander, six years old in 1899, son of Eliza A. Alexander, who was admitted by the United States Court for the Central District of the Indian Territory, as a citizen by blood of the Choctaw Nation, and James Alexander, a non citizen of the Choctaw Nation, has been listed for enrollment as a citizen by blood of the Choctaw Nation, pursuant to the said judgment of the United States Court. It does not appear that application has been made by James Alexander, father of James M. Alexander, to this Commission for enrollment as an intermarried citizen of the Choctaw Nation.

If these are not the persons referred to in your letter, and you will advise us more definitely as to the names and ages of the parties and such other information as would enable us to identify them on our records, the matter will receive further consideration.

Yours truly,

Acting Chairman.

Substitute

9-8396

Muskogee, Indian Territory July 17, 1903.

G. W. Ridgeway,

Lone Grove, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of June 13, asking if J. Frank Turner is a citizen by blood or a court claimant.

In reply to your letter you are informed that it appears from our records that J. F. Turner was admitted as a citizen of the Choctaw Nation by a judgment of the United States Court, Central District, Indian Territory, rendered at South McAlester, October 8, 1897 in court case, citizenship docket, No. 124.

Under the provisions of the act of Congress of July 1, 1902 which was ratified by the Choctaw and Chickasaw Nations September 25, 1902, the Commission is prohibited from enrolling or making any allotment of land in the Choctaw and Chickasaw Nations to persons whose citizenship is dependent upon judgments of the United States court in Indian Territory, until their final rights to citizenship have been determined.

Respectfully,

Commissioner in Charge.

[illegible]
[illegible]

Muskogee, Indian Territory, August 12, 1903.

Thomas Turner,

Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of August 7, stating that you desire to make application for citizenship in the Choctaw Nation, as your brothers, J.F. Turner and Albert P. Turner are already enrolled.

In reply to your letter you are informed that it appears from our records that Albert P. Turner was admitted to citizenship in the Choctaw Nation by this Commission in 1898 under the provisions of the act of Congress of June 10, 1896, in Choctaw Citizenship Case, No. 295.

It further appears from our records that J.F. Turner was admitted to citizenship in the Choctaw Nation by a judgment of the United States Court for theCentral District, Indian Territory, rendered at South McAlester October 8, 1897 in Court Case, Citizenship Docket, No. 124.

You are informed that it does not appear from our

E.T.------J

returns that any application has been made to this Commission by you or on your behalf for enrollment as a citizen of the Choctaw Nation, and under the provisions of the act of Congress of July 1, 1902, which was ratified by the Choctaw and Chickasaw Nations on September 25, 1902, the Commission is without authority to receive or consider any original applications for enrollment in the Choctaw Nation.

Respectfully,

Commissioner in Charge.

Choctaw 1966.
Choctaw D-474.
Chickasaw D-[illegible].

Muskogee, Indian Territory, May 21, 1904.

C. L. Harbert,

Attorney at Law,

Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of May 16, in which you ask the status of the following claims to citizenship: John F. Turner, who was admitted by the Commission in 1896 as a Choctaw by blood, appeal taken by the Nation, and the Commission's decision affirmed. You ask the status of this claim and wish to know if our records show his admission in 1896 and the fact that the Court affirmed the decision of the Commission. Also, of M. Turner and Robert Short, both intermarried citizens.

In reply to your letter, you are informed that it appears from our records that J. F. Turner was admitted to citizenship in the Choctaw Nation as a citizen by blood, and that on appeal to the United States Court for the Central District, Indian Territory, said court sustained the decision of the Commission. It further appears that no appeal was taken in this case to the Choctaw and Chickasaw Citizenship Court within the time provided by the act of Congress approved July 1, 1902.

You are further advised that it appears from our records that Marshall A. Turner is an applicant for enrollment as an inter-

S. O.L.H.

married citizen of the Choctaw Nation, claiming his right to such enrollment by reason of his marriage to Martha Etta Turner, who was admitted to citizenship in the Choctaw Nation by the United States Court for the Southern District, Indian Territory, in court case (citizenship docket) No. 72.

It appears further from our records that the case of Martha E. Turner is now pending before the Choctaw and Chickasaw Citizenship Court, Tishomingo docket, case No. 1.

You are also advised that the Commission has not yet passed upon the application of Robert P. Short for enrollment as an intermarried citizen of the Chickasaw Nation. As soon as a decision is reached in this case you will be notified of the action taken therein.

Respectfully,

Commissioner in Charge.

Muskogee, Indian Territory, September 1, 1904.

Lodbetter & Nichols,
Attorneys at Law,
Ardmore, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of the 30th ultimo, in which you request to be advised if the applications of Katie, Martin Franklin, Myrtle L. and John F. Turner for citizenship in the Choctaw Nation have been finally determined by the Commission, and if so, whether or not the applications were denied or granted.

In reply to your letter you are informed that the enrollment of Martin Franklin and Myrtle L. Turner as citizens by blood of the Choctaw Nation was approved by the Secretary of the Interior on May 9, 1904, they having been admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes, under the provisions of the Act of Congress approved June 10, 1896, from which no appeal was taken to the United States Court.

As to the application of Katie Turner for enrollment as a citizen by intermarriage of the Choctaw Nation, you are informed that no decision has yet been rendered by the Commission in this case.

In the matter of the application of John F. Turner for

enrollment as a citizen by blood of the Choctaw Nation; it appears that under the provisions of the Act of Congress approved June 28, 1906, he was admitted as a citizen by blood of the Choctaw Nation. From this decision an appeal was taken to the United States Court for the Southern District of the Indian Territory, where he was admitted on October 6, 1909. This judgment of the United States Court was vacated and set aside by a decree of the Choctaw and Chickasaw Citizenship Court, of December 17, 1909. It does not appear that John F. Turner has appealed or had certified to the Choctaw and Chickasaw Citizenship Court the record in his case for a trial de novo.

Respectfully,

Chairman.

Muskogee, Indian Territory, March 22, 1905.

I. W. Fulsom,

Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of March 15, 1905, asking if John F. Turner and his children Myrtle and Martin Turner of Ardmore, Indian Territory, are on the approved roll of either the Choctaw or the Chickasaw Nation; that they are holding considerable land and you are informed they are not citizens.

In reply to your letter you are informed that Martin Franklin Turner and Myrtle L. Turner, children of John Franklin and Katie Turner, have been enrolled by the Commission as citizens by blood of the Choctaw Nation and their enrollment as such was approved by the Secretary of the Interior May 9, 1904.

You are further advised that the Commission on September 30, 1904, dismissed the application of J. F. [John Franklin] Turner for enrollment as a citizen of the Choctaw Nation.

Respectfully,

Chairman.

7-275.
7-3206.

Muskogee, Indian Territory, August 27, 1906.

Mr. H. A. Ledbetter,
Attorney at Law,
Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of August 18th., asking the present status of the application for the enrollment of John Franklin Turner as a citizen by blood, and his wife, Katie Turner, as a citizen by intermarriage of the Choctaw Nation.

In reply you are advised that on September 20th, 1904, the Commissioner to the Five Civilized Tribes dismissed the application of John Franklin Turner for enrollment as a citizen by blood of the Choctaw Nation, it appearing that he had been admitted to citizenship in said Nation by the judgment of the United States Court for the Central District of the Indian Territory at South McAlester, in court case No. 124 on the citizenship docket and that no appeal was taken in this case to the Choctaw

Mr. M. A. LeFlore, Jr.

and Chickasaw citizenship court under the provisions of the Act of Congress approved July 1st, 1902.

You are further advised that no action has been taken in the matter of the application of Katie Turner for enrollment as an intermarried citizen of the Choctaw Nation.

Very respectfully,

Acting Commissioner.

E. C. C.

5206

7-0-251

COPY.

Muskogee, Indian Territory, December 21, 1903.

J. F. Turner,

Ardmore, Indian Territory.

Dear Sir:

You are hereby advised that on Monday, January 11, 1904, at nine o'clock A. M. at the office of the Commission to the Five Civilized Tribes, at Muskogee, Indian Territory, oral argument will be heard by the Commission on the question of its jurisdiction to now enroll as citizens of the Choctaw and Chickasaw Nations those persons admitted to citizenship in these two nations by the Commission under the provisions of the act of Congress approved June 10, 1896, and where an appeal was taken from such decisions to the United States Courts for the Southern and Central Districts of the Indian Territory.

These decisions of the Commission being subsequently affirmed by judgments of the United States Courts and such judgments vacated and held to be null and void by the decree of the Choctaw and Chickasaw Citizenship Court of December 17, 1902: and such persons not having appealed or had certified to the Choctaw and Chickasaw Citizenship Court their cases for a trial de novo, it is contended by the attorneys for the Choctaw and Chickasaw Nations that by the nullification of the judgments of the United States Courts

J.B.B., -2-

by the decree of the Choctaw and Chickasaw Citizenship Court of December 17, 1902, the rights of such persons to citizenship in the Choctaw and Chickasaw Nations under the decisions of the Commission became extinguished.

Respectfully,

(SIGNED) James Bixby.
Chairman.

Chac 5207 Davis William Trenton

nos 10-11 Dismissed oct 25 1904

#9 Dismissed oct 25, 1904

5207

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the application for enrollment as a citizen by blood of the Choctaw Nation of-

BURTON S. BURKS, JR. 7-5207.

Chickasaw Court Card C 252

In the matter of Burton S. Burks and others

Application,

Burton S. Burks says:

Callie was admitted as "Caley"

Burton S. Jr. was born October 28th 1897.

I have been living in the Chickasaw Nation 4 years in November.

I came to the Territory from Texas.

Burton S. Burks
Callie Burks
Ira Burks
Nina Burks
Olive Burks
Charley Burks
Edgar Burks
Julia Burks
Burton S. Burks Jr.

Ardmore, Sept. 23 1898.

enrolled.

DDD

7-5207.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

----o----

In the matter of the application for enrollment as a citizen by blood of the Choctaw Nation of Burton S. Burks, Jr.

----o----

The applicant, Burton S. Burks, Jr., claims his right to enrollment as a citizen by blood of the Choctaw Nation through his father Burton S. Burks. The right of the applicant's father, Burton S. Burks, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, June 29, 1904 in case No. 87 upon the Tishomingo docket of said court, it is hereby ordered that the application of Burton S. Burks, Jr., for enrollment as a citizen by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Chairman.

Muskogee, Indian Territory,

OCT 28 1904

COPY.

Muskogee, Indian Territory, October 28, 1904.

Mansfield, McMurray & Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission, dated October 28, 1904, dismissing the application for the enrollment of Burton S. Burke Jr., as a citizen by blood of the Choctaw Nation.

Respectfully,

Tams Bixby

Chairman.

Incl. 7-5207.

Choctaw 5207

COPY.

Muskogee, Indian Territory, October 28, 1904.

Burton S. Burks,

Wynnewood, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated October 28, 1904, dismissing the application for the enrollment of your minor child, Burton S. Burks Jr., as a citizen by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

Tams Bixby

Chairman.

Registered.

Incl. 7-5207.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

))))o((((

Record in the matter of the applications for enrollment as citizens by blood of the Choctaw Nation of:

WILLIAM TRENTON DAVIS, ET AL., 7-5207.

CHOCTAW.

IN RE

Application for Enrollment of

INFANT CHILD

William Trenton Davis

as a citizen of

Choctaw Nation.

Approved January 2 1901.

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
JAN 2 1901

ACTING CHAIRMAN.

CHOCTAW.
5207

BIRTH AFFIDAVIT. 20

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of William Trenton Davis (Here insert name of child), born on the 16th day of November, 1900
Name of Father: C. Waller Davis, a citizen of the Choctaw Nation.
Name of Mother: Ira Davis (nee Burks) citizen of the Choctaw Nation.
Post-office, Davis, Ind. Ter.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, (INDIAN TERRITORY.)
Southern District.

I, Ira Davis, on oath state that I am 20 years of age and a citizen, by blood, of the Choctaw Nation; that I am the lawful wife of C. Waller Davis, who is a citizen, by Intermarriage of the Choctaw Nation; that a male (male or female) child was born to me on the 16th day of November, 1900 that said child has been named William Trenton Davis, and is now living.

Ira Davis.

WITNESSES TO MARK:
(Must be Two Witnesses)

Subscribed and sworn to before me this 16th *day of* December 1900.
H. W. Fielding
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, (INDIAN TERRITORY.)
Southern District.

I, A. P. Brown, a Physician, on oath state that I attended on Mrs. Ira Davis, wife of C. Waller Davis, on the 16th day of November, 1900; that there was born to her on said date a Male (male or female) child; that said child is now living and is said to have been named William Trenton Davis.

A. P. Brown M.D.

WITNESSES TO MARK:
(Must be Two Witnesses)

Subscribed and sworn to before me this 15th *day of* December 1900
H. W. Fielding
NOTARY PUBLIC

7-5207. INDEXED

20

IN RE

Application for Enrollment of

INFANT CHILD

Ira May Davis

as a citizen of

Choctaw Nation.

Approved FEB -5 1903 190....

Commissioner.

Proof of birth of child for whom application was made Oct 18-1902

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
FEB -5 1903

ACTING CHAIRMAN.

CHOCTAW.

5207

BIRTH AFFIDAVIT. 20

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Ira May Davis (Here insert name of child.), born on the 14th day of September, 1902
Name of Father: Charles W. Davis by Intermarriage a citizen of the Choctaw Nation.
Name of Mother: Ira May Davis a citizen of the Choctaw Nation.
Post-office Davis, Ind. Ter.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY. }
Southern District. }

I, Charles W. Davis, on oath state that I am 23 years of age and a citizen, by Intermarriage, of the Choctaw Nation; that I am the lawful husband of Ira May Davis, who is a citizen, by Blood, of the Choctaw Nation; that a female (male or female.) child was born to us on 14th day of September 1902 that said child has been named Ira May Davis, and is now living.

Charles W. Davis

WITNESSES TO MARK:
(Must be Two Witnesses.) }

Subscribed and sworn to before me this 18th *day of* October 1902.

H. W. Fielding
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY. }
Southern District, }

I, A. P. Brown, a Physician, on oath state that I attended on Mrs. Ira May Davis, wife of Charles W. Davis on the 14th day of September, 1902 that there was born to her on said date a female (male or female.) child; that said child is now living and is said to have been named Ira May Davis.

A. P. Brown M.D.

WITNESSES TO MARK:
(Must be Two Witnesses.) }

Subscribed and sworn to before me this 18th *day of* October 1902.

H. W. Fielding
NOTARY PUBLIC

Hdd

7-5207.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

----o----

In the matter of theapplication for enrollment as citizens by blood of the Choctaw Nation of William Trenton Davis and Ira May Davis.

----o----

The applicants, William Trenton Davis and Ira May Davis, claim their rights to enrollment as citizens by blood of the Choctaw Nation through their mother Ira Burks (now Davis). The right of the applicants' mother, Ira Burks (now Davis), to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, June 29, 1904, in case No. 87 upon the Tishomingo docket of said court, it is hereby ordered that the applications of William Trenton Davis and Ira May Davis for enrollment as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Chairman.

Muskogee, Indian Territory,

OCT 25 1904

Choctaw 3307

COPY.

Muskogee, Indian Territory, October 25, 1904.

Charles W. Davis,

Davis, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated October 25, 1904, dismissing the application for the enrollment of William Trenton Davis and Ira Ray Davis as citizens by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

Tams Bixby

Chairman.

Registered.
Incl. 7-3307.

Choctaw 5207.

COPY.

Muskogee, Indian Territory, October 25, 1904.

Mansfield, McMurray & Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission, dated October 25, 1904, dismissing the application for the enrollment of William Trenton Davis and Ira May Davis as citizens by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

Tams Bixby

Chairman.

Incl. 7-5207.

Muskogee, Indian Territory, December 6, 1900.

C. W. Davis,

Davis, Indian Territory.

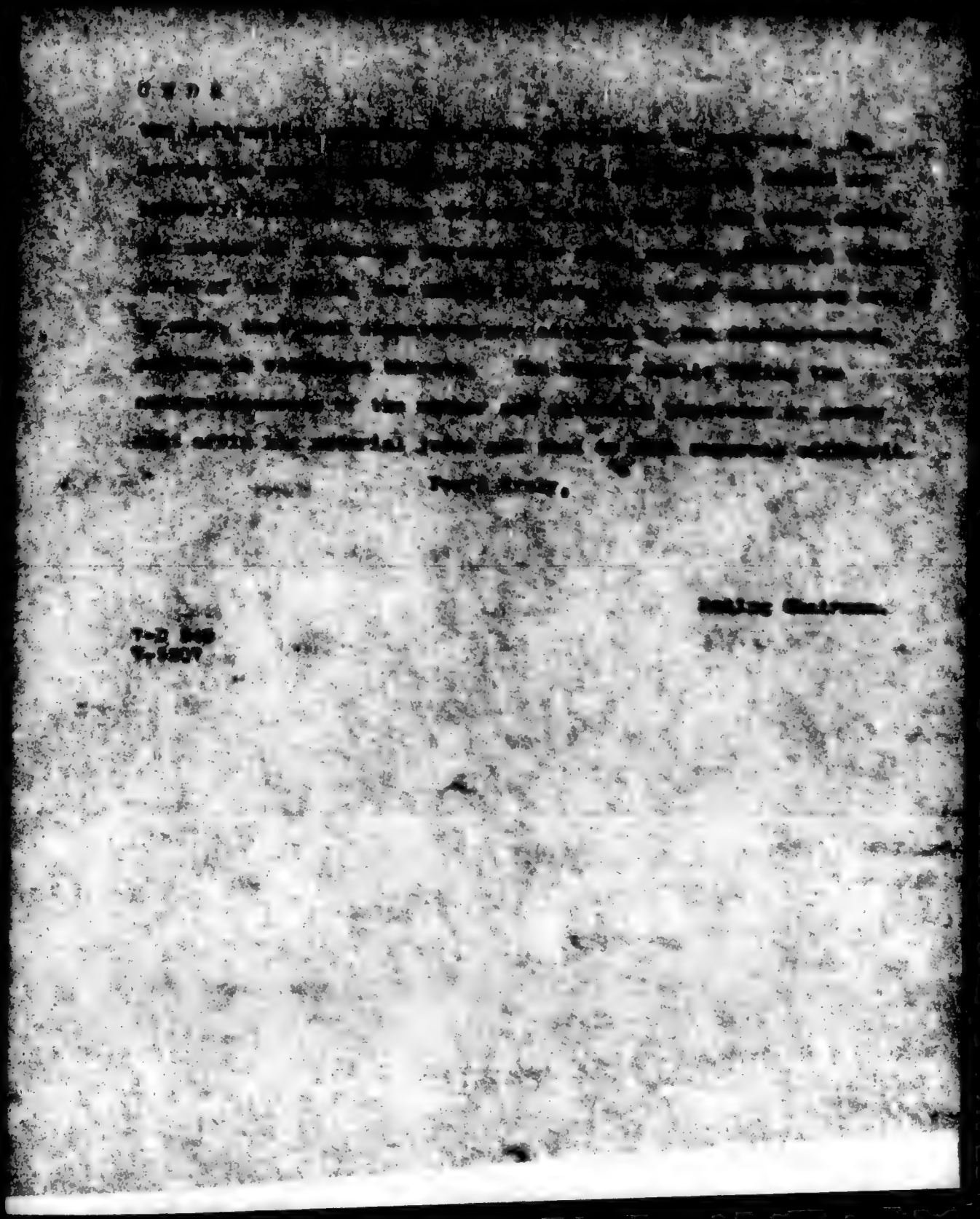
Dear Sir:

The Commission is in receipt of your letter of the 4th instant in which you desire the Commission to advise you if there is any question about your right or your wife's right to enrollment as citizens of the Choctaw Nation.

You also state in your letter thatyou have a son you wish to have enrolled, and inquire whether or not you must come to Atoka to have his name placed on the roll.

You are informed that the records of this Commission show that Ira Burks, seventeen years of age, the daughter of Burton S. Burks was listed for enrollment by this Commission September 25rd 1898, as a Choctaw, in pursuance of a judgment rendered by the United States Court for the Southern District of the Indian Territory at Ardmore, December 22nd, 1897, in court case No. 123 , and that you appeared before this Commission as an applicant for enrollment as an intermarried citizen of the Choctaw Nation, December 29th, 1899, having been married to Ira Burks, and at that time you were listed for enrollment by this Commission as a doubtful claimant to citizenship in the Choctaw Nation. The Commission has not yet passed upon your rights to enrollment as an intermarried citizen of the Choctaw Nation, but contemplates doing so, soon after the appointment of the Commission at Atoka, Indian Territory.

There is enclosed you herewith, a blank application for the enrollment of an infant child, upon which by [illegible]



Muskogee, Indian Territory, January 8, 1901.

C. Walter Davis,

Davis, Indian Territory.

Dear Sir:

The Commission is in receipt of the application for enrollment as a citizen of the Choctaw Nation of William Trenton Davis, the infant son of C. Walter and Ina Davis, born November 18th, 1900, and the same being in proper form has been duly filed with the records of this Commission and the child listed for enrollment as a citizen of the Choctaw nation.

Yours truly,

Acting Chairman.

W-5207

Muskogee, Indian Territory, June 4, 1902.

G. W. Smith,

Sarpy, Indian Territory .

Dear Sir:

Receipt is hereby acknowledged of your letter of the 27th of May requesting if possible, the Commission give you further information relative to the rights to enrollment of Burt Burks and Ira Burks who were admitted to citizenship by the Arbuckle courts and your rights by reason of your marriage to Ira Burks in December 1899.

You also desire to be informed if these parties should now appear before the Commission or the Choctaw Commission could they be enrolled independently of the judgment of the court admitting them to citizenship in the Choctaw Nation. Also when application can be made for the allotment of land in the Choctaw and Chickasaw Nations.

Replying to your letter, it appears that the Burt Burks and Ira Burks of whom you inquire, were listed for enrollment September 25, 1896 under the names of Burton S. Burks 20 years of age and Ira Burks, his daughter, 17 years of age and that their post-office address at that time was given as Wynnewood, Indian Territory. It does not appear that the names of these persons are upon any of the tribal rolls of the Choctaw Nation nor that they have ever been recognized by the Choctaw tribal authorities as

C W D S

citizens of that Nation but that their right to Choctaw citizenship is by virtue of the judgment of the United States Court for the Southern District of the Indian Territory rendered at Ardmore, December 27, 1897 in court case No. 183. In accordance with such judgment these persons have been duly listed for enrollment as citizens of the Choctaw Nation.

There is a contention now being made by the legal representatives of the Choctaw Nation that all persons admitted to citizenship by a judgment of the United States Courts in Indian Territory are not entitled to enrollment and that such judgments are void upon the ground that the property rights affected are those of both the Choctaw and Chickasaw Nations and that both Nations should have been made parties to the original application. As to the determination of this contention the Commission can render no opinion but in pursuance of the order of court and pending a final determination as to this controversy, the Commission will consider these persons as listed for enrollment as citizens of the Choctaw Nation.

As to your rights to enrollment it appears from our records that at Muskogee, Indian Territory, on December 29, 1899, you made application for enrollment as a citizen by intermarriage of the Choctaw Nation, claiming your rights as such intermarried citizen by reason of your marriage to Ira Burns under license issued by Simon Wolf, County and Probate Judge of Pontotoc County, Chickasaw Nation, the marriage license and certificate being filed with the Commission in support of your application.

Page 2

The Commission has not determined up to this time as to your rights to enrollment as citizens by intermarriage of the Choctaw Nation and it is probable that no decision will be reached for some time to come.

No date has been agreed upon between the Choctaw and Chickasaw Nations and this Commission for the closing of the rolls of citizenship of these two tribes and until final agreement is made, the Commission will render no decisions in cases of this character.

Replying to your inquiry as to whether Mr. Burch and your wife can now appear before the Commission and be enrolled independently of the judgment of court admitting them to citizenship in the Choctaw Nation, you are informed that if they are desirous of giving any further testimony relative to their right to enrollment as citizens of the Choctaw Nation they will be heard at the office of the Commission in Muskogee, Indian Territory, upon their personal appearance. It does not appear however, that they have any rights as Choctaw citizens except under the judgment referred to and that they have never been recognized by the tribal authorities of the Choctaw Nation nor do their names appear upon any of the tribal rolls of the Choctaw Nation in our possession.

We can give you no definite information as to the time of the allotment of the lands of the Choctaw and Chickasaw Nations. No rolls of citizenship have been completed and submitted to the Secretary of the Interior for his approval nor is there any agreement now in effect providing for the final date of the closing of

[redacted]

9-2307.

Muskogee, Indian Territory, August 27, 1902.

Wiley M. Stewart,

Wynnewood, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 25th instant, in which you state that B. S. Burks is holding considerable land, and requesting to know whether he is enrolled as a citizen of either the Choctaw or Chickasaw Nation.

It appears from the records of the Commission that on September 23, 1898, Burton S. Burks, thirty-nine years of age, his wife Callie Burks, thirty-seven years of age, and their minor children, Ira, Nina, Orbie, Charley, Edgar, Julia and Burton S. Burks, Jr., were listed by the Commission for enrollment as citizens of the Choctaw Nation, the eight first named having been admitted to such citizenship on December 22, 1897, by a judgment of the United States Court for the Southern District of Indian Territory, in accordance with the act of Congress of June 10, 1896, in Court case No. 125, and the last named, Burton S. Burks, Jr., having been born to Burton S. and Callie Burks, subsequent to their original application for admission to citizenship in the Choctaw Nation.

It further appears from our records that on January 8, 1901, evidence was filed relative to the birth of William Trenton Davis to

W. H. S., 2.

Ira Burks on November 16, 1899, said Ira Burks having been married to Charley W. Davis on December 17, 1899.

No final action has been taken by the Commission in the matter of the enrollment of these parties as citizens of the Choctaw Nation.

Yours truly,

Acting Chairman.

9-2207.

Muskogee, Indian Territory, October 23, 1908.

Charles W. Davis,

Davis, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Ira May Davis, infant daughter of Charles W. and Ira May Davis, born September 14, 1908; and the same is returned to you herewith.

You are informed that if the mother of the child is living it is necessary that she make affidavit as to its birth.

For the purpose of assisting you in the matter, a blank application for the enrollment of an infant child is also enclosed. Upon return of same properly executed, the matter will receive further consideration.

Respectfully,

Acting Chairman.

Enc B I 69.

T-8207.

Muskogee, Indian Territory, February 5, 1903.

C.W. Davis,

Davis, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of January 16, 1903, returning affidavits relative to the birth of Ira May Davis, infant daughter of Charles W. and Ira May Davis, September 14, 1902; and the same being in proper form have been duly filed with the records of the Commission as evidence of birth of the above named child.

You also enclose a letter written by you October 25, 1902, stating that you have enclosed affidavits relative to the death of your wife, Ira May Davis, which occurred September 20, 1902. You are advised that no proof of the death of your wife, Ira May Davis, accompanied your letter.

You are, therefore, requested to furnish same at your earliest convenience.

Respectfully,

Acting Chairman.

Choc 5208 Zachariah Addington

NOS 3-4 Dismissed May 27, 1904

5208

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

----o----

Record in the matter of the application for enrollment as a citizen by blood of the Choctaw Nation of:

Zackybelle Addington 7-5208.

----o----

CHOCTAW.

. . 20

IN RE

Application for Enrollment of

INFANT CHILD

Zacklybelle Addington

as a citizen of

Choctaw Nation.

Approved NOV 29 1901 190

C. R. Breckinridge.

Commissioner.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
NOV 30 1901

ACTING CHAIRMAN

CHOCTAW.

5208

BIRTH AFFIDAVIT. 20

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Jackybelle Addington, born on the 22nd day of October, 1901
(Here insert name of child.)
Name of Father: Jack A Addington a citizen of the Choctaw Nation.
Name of Mother: Gracie Addington a citizen of the Choctaw Nation.
Post-office Addington Ind. Ter.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY. }
Southern District. }

I, Gracie Addington, on oath state that I am Eighteen years of age and a citizen, by Marriage, of the Choctaw Nation; that I am the lawful wife of Jack A Addington, who is a citizen, by blood, of the Choctaw Nation; that a female (male or female.) child was born to me on 22nd day of October 1901; that said child has been named Jackybelle Addington, and is now living.

WITNESSES TO MARK:

(Must be Two Witnesses.) }

Gracie Addington

Subscribed and sworn to before me this 25 *day of* October 1901.

Jamth S Addington
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, }
Southern District, }

I, Chas. E. Elder, a Physician, on oath state that I attended on Mrs. Gracie Addington, wife of Jack A Addington on the 22nd day of October, 1901, that there was born to her on said date a Female (male or female) child; that said child is now living and is said to have been named Jackybelle Addington.

WITNESSES TO MARK:

(Must be Two Witnesses.) }

Chas E. Elder M.D.

Subscribed and sworn to before me this 25 *day of* November 1901.

Jamth S. Addington
NOTARY PUBLIC

D616

7-5208.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

----o----

In the matter of the application for the enrollment of Zackybelle Addington as a citizen by blood of the Choctaw Nation.

----o----

The applicant, Zackybelle Addington, claims her right to enrollment as a citizen by blood of the Choctaw Nation through her father Zachariah Addington. The right of the applicant's father, Zachariah Addington, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, March 9, 1904, in case No. 61, upon the South McAlester docket of said court, it is hereby ordered that the application of Zackybelle Addington for enrollment as a citizen by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Chairman.

Muskogee, Indian Territory,

Cherokee 5208

COPY.

Muskogee, Indian Territory, June 7, 1904.

Zachariah Addington,
Addington, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated May 27, 1904, dismissing the application for enrollment as a citizen by blood of the Cherokee Nation of Luckybelle Addington.

Respectfully,

SIGNED

Tams Bixby.

Chairman.

Registered.

Incl. 7-5208.

COPY. Choctaw 5334.

Muskogee, Indian Territory, June 7, 1904.

Mansfield, McMurray & Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find copies of the orders of the Commission to the Five Civilized Tribes, dated May 27, 1904, dismissing the applications for enrollment as citizens by blood of the Choctaw Nation of Ruby Florence Addington and Zackybelle Addington.

Respectfully,

SIGNED
Tams Bixby.
Chairman.

Registered.
Incl. 7- 5306.

(See Choctaw 5334 for registry receipt for this letter).

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

---o----

Record in the matter of the application for enrollment as a citizen by blood of the Choctaw Nation of:

Ruby Florence Addington 7-5208.

----o----

CHOCTAW. INDEXED

20

IN RE

Application for Enrollment of

INFANT CHILD

Ruby Florence Addington

as a citizen of

Choctaw Nation.

SEP 20 1902

Approved ..... 190...

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
SEP 20 1902

Acting Chairman.

CHOCTAW.

5205

BIRTH AFFIDAVIT. 20

(1)

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of Ruby Florence Addington, born on the 20th day of May, 1902.
(Here insert name of child.)

Name of Father: Otis B. Addington a citizen of the Choctaw Nation.

Name of Mother: Daisy Addington a citizen of the Choctaw (4 mixed) Nation.

Post-office Addington I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, }
INDIAN TERRITORY }
Southern District. }

I, Daisy Addington, on oath state that I am Eighteen years of age and a citizen, by Marriage, of the Choctaw Nation; that I am the lawful wife of Otis B. Addington, who is a citizen, by Blood, of the Choctaw Nation; that a female child was born to me on 20th day of May 1902 that said child has been named Ruby Florence Addington and is now living.
(male or female.)

Daisy Addington

WITNESSES TO MARK:

(Must be Two Witnesses.) }

Subscribed and sworn to before me this 17th *day of* September 1902.

J. S. Addington
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, }
INDIAN TERRITORY. }
Southern District, }

I, Chas E. Elder, a Physician, on oath state that I attended on Mrs. Daisy Addington, wife of Otis B. Addington on the 20th day of May, 1902 that there was born to her on said date a female child; that said child is now living and is said to have been
(male or female.)
named Ruby Florence Addington

Chas. E. Elder M.D.

WITNESSES TO MARK:

(Must be Two Witnesses.) }

Subscribed and sworn to before me this 17th *day of* September 1902.

J. S. Addington
NOTARY PUBLIC.

DGD

7-5208.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

----o----

In the matter of the application for enrollment as a citizen by blood of the Choctaw Nation of Ruby Florence Addington.

----o----

The applicant, Ruby Florence Addington, claims her right to enrollment as a citizen by blood of the Choctaw Nation through her father Burrell Addington. The right of the applicant's father, Burrell Addington, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, March 9, 1904, in case No. 61, upon the South McAlester docket of said court, it is hereby ordered that the application of Ruby Florence Addington for enrollment as a citizen by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Chairman.

Muskogee, Indian Territory,

COPY.

Muskogee, Indian Territory, June 7, 1906.

Otis J. Addington,
Addington, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated May 27, 1904, dismissing the application for enrollment as a citizen by blood of the Choctaw Nation of Ruby Florence Addington.

Respectfully,

James Bixby.
Chairman.

Registered.
Incl. 7-5208.

COPY.

Muskogee, Indian Territory, June 7, 1904.

Mansfield, McMurray & Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find copies of the orders of the Commission to the Five Civilized Tribes, dated May 27, 1904, dismissing the applications for enrollment as citizens by blood of the Choctaw Nation of Ruby Florence Addington and Zackybelle Addington.

Respectfully,

SIGNED

Tams Bixby.

Chairman.

Registered.
Incl. 9-[illegible]

(See Choctaw 5334 for registry receipt for this letter).

...aw Court Card C. 253

...n of Zachariah Addington and others.

...on

Zachariah Addington says:

I have been living in the Chickasaw Nation all the while - all our lives.

Ardmore, Sept. 23 1898.

Zachariah Addington
Burrell Addington

enrolled.

Muskogee, Indian Territory, May 6, 1901.

Mr. E. A. Addington,

Addington, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of April 30, 1901, relative to the enrollment of your wife as an intermarried citizen of the Choctaw Nation, in which you ask if you cannot be allowed to supply the Commission with evidence of your marriage and produce affidavits taken before a Notary public, and she be listed for enrollment without going to the expense of a trip to Muskogee, Indian Territory.

You are informed that in the letter of the Commission to you under date of April 15, 1901, complete information relative to the rules of the Commission regarding applications for enrollment as intermarried citizens was sent you, and the Commission cannot deviate therefrom.

You will therefore understand that if your wife desires to make application for enrollment as an intermarried citizen, she must appear in person before the Commission at its office in Muskogee, Indian Territory, for the purpose of an examination under oath.

Yours truly,

7-5206.

Acting Chairman.

Muskogee, Indian Territory, April 15, 1901.

Mr. Z. D. Addington,

Addington, Indian Territory,

Dear Sir:-

Receipt is hereby acknowledged of your letter of the 10th inst., in which you desire information how to proceed to make application for the enrollment of your wife as an intermarried citizen of the Choctaw Nation.

You are informed that the rules and regulations of the Department of the Interior and of the Commission require that each and every applicant for enrollment in any one of the Five Tribes in Indian Territory must present himself in person before the Commission for an examination under oath. Such application can be made at the office of the Commission in Muskogee, Indian Territory, at any time prior to the submission of the final rolls of the citizens of the Choctaw and Chickasaw Nations to the Secretary of the Interior for his approval. You will, therefore, understand that if it is the intention of your wife to make application for enrollment as a citizen of the Choctaw Nation that it will be necessary for her to present herself in person before the Commission for the purpose of this examination. No specific date has yet been agreed upon for closing the final rolls of the citizens of the Choctaw and Chickasaw Nations but it is suggested by the Commission that if it is the

[redacted]

[redacted] Yours truly,

Acting Chairman.

[redacted]

Muskogee, Indian Territory, July 18,1901.

Mr. C. L. Leatherman,

Duncan, Indian Territory,

Dear Sir:-

Receipt is hereby acknowledged of your letter of the 13th instant, in which you state your reasons for desiring information relative to the rights of citizenship in the Choctaw Nation of Zack A. and Burrell Addington.

The Commission can render no opinion relative to the legal questions upon which you desire information, but as to the rights to citizenship of these two parties in the Choctaw Nation, it appears from our records that on September 23, 1896, Zachariah Addington, eighteen years of age, and his Brother Burrell Addington fourteen years of age, were listed for enrollment as citizens of the Choctaw Nation, having been admitted to such citizenship by a judgement of the United States Court for the Central District of the Indian Territory rendered at South McAlester August 25, 1897, in citizenship case No. 121.

Yours truly,

9-8808.

Acting Chairman.

Muskogee, Indian Territory, November 29, 1901.

Zack A. Addington,

Addington, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the a pplication for enrollment as a citizen of the Choctaw Nation of Zackybelle Addington, the infant daughter of Zack A. and Gracie Addington, born October 22, 1901, and the same being in proper form has been duly filed with the records of this office and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Acting Chairman.

7-5206

Muskogee, Indian Territory, September 28, 1908.

Otis B. Addington,

Addington, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Baby Florence Addington, infant daughter of Otis B. and Daisy Addington, born May 30, 1908; and the same being in proper form has been duly filed with the records of the Commission, and the child listed for enrollment as a citizen of the Choctaw Nation.

Respectfully,

Acting Chairman.

CDOC 5209 William H. PITTMAN

#8-9 Dismissed

6035

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

.....

Record in the matter of the application for the enrollment as citizens by blood of the Choctaw Nation of,

Hardy M.Pittman and Nellie L.Pittman.

7-5209.

.....

TO THE HONORABLE DAWES COMMISSION,

HON. HENRY L. DAWES, Chairman.

Comes now W. H. Pittman and respectfully shows that since filing of the cause before the Dawes Commission, entitled J. N. Forbes et al vs Choctaw Nation, and prior to the time of the judgment of the United States Court for the Southern District of the Indian Territory at Ardmore was had in said cause on appeal, a certified copy of which judgement is annexed hereto and made a part of this petition, there has been born to the said W. H. Pittman and Mollie Ella Pittman, wife of W. H. Pittman a child, namely: Hardy Malcolm Pittman, and that said child is now living.

In support of which allegation affidavits of W. H. Pittman, Mollie Ella Pittman and Fred S. Gardner M.D. are filed herewith and made a part of this petition.

Plaintiff also files as exhibits hereto, a certified copy of the marriage license issued by the Choctaw Nation to said W. H. Pittman and Mollie Ella Pittman father of Hardy Malcolm Pittman.

WHEREFORE, Plaintiff asks that the premises being considered, that Hardy Malcolm Pittman be placed on the roll now being prepared by this Honorable Commission, as a Choctaw Indian, and he will ever pray &c.

W. H. Pittman

Subscribed and sworn to before me this the 8 day of Jany 1898

J. C. Bates
Notary Public

IN THE UNITED STATES OF AMERICA

SOUTHERN DISTRICT

INDIAN TERRITORY

I, J N Forbes solemnly swear that there was born to Mollie Ella Pittman, wife of W. H. Pittman, on the 14 day of November, 1897 a son who was named Hamby Malcolm Pittman and that the said child is now living.

J N Forbes

Subscribed and sworn to before me this the 8 day of January 1898

Phil Bennett
Notary Public
Southern Dist. I.T.

UNITED STATES OF AMERICA
SOUTHERN DISTRICT
INDIAN TERRITORY

I, B. L. Gardner a practicing physician do solemnly swear that I was present on the 14 day of December on the 1897, when Mollie Ella Pittman gave birth to a male child.

B. L. Gardner M.D.

or sign her mark

Subscribed and sworn to before me this 2 day of January 1898

J. C. Bates
Notary Public

Granted
Heir

UNITED STATES OF AMERICA

SOUTHERN DISTRICT

INDIAN TERRITORY

I, Mollie Ella Pittman do solemnly swear that on the 14 day of November 1897 I gave birth to a male child whose father was W. H. Pittman, my lawful husband, and that said child was named Hardy Malcolm Pittman, and said child is now living.

Mollie Ella Pittman

Subscribed and sworn to before me this 5 day of January 1898.

J. C. Cates
Notary Public

IN THE UNITED STATES OF AMERICA

SOUTHERN DISTRICT

INDIAN TERRITORY

I, W S A Pittman solemnly swear that there was born to Mollie Ella Pittman, my lawful wife ~~W. S. H. Pittman~~, on the 14 day of November, 1897 a son who was named Harry Malcolm Pittman and that the said child is now living.

W S A Pittman

Subscribed and sworn to before me this the 2 day of January 1898

J C Foster
Notary Public

Registered
List

In the [illegible] for the County District of [illegible]

At Abilene.

J. [illegible] et al Plaintiffs)
)
vs)
) Judgment.
[illegible] Defendants)

On this day this cause [illegible]
hearing of the plaintiffs' petition, and the statement [illegible]
[illegible] and the Court finds that the petition [illegible]
refused to enter judgment as exhibits [illegible]
[illegible] hereof and that the [illegible]

[illegible]

[illegible]

[

IN THE UNITED STATES COURT IN THE INDIAN TERRITORY,
SOUTHERN DISTRICT AT ARDMORE.

I,C.M.Campbell,Clerk of the United States Court for the Southern District in the Indian Territory do hereby certify the above and foregoing to be a true,perfect and literal transcript of the Judgment of the Court in the above entitled action,made and entered upo n the Journal of said Court on the 22nd day of December 1897.

IN TESTIMONY WHEREOF,I have hereunto set my hand and the seal of said Court at Ardmore in said Territory this 6th day of Jany.1898.

C M Campbell Clerk,
U.S.Ct.So.Dist.Ind.Ter.

Indian Territory
Southern District
Chickasaw Nation

I A Walcott
attorney for applicant do swear
that I have this day mailed
to Green McCurtain Governor of
the Choctaw Nation true perfect
and literal copies of the said
Petition and affidavits annexed
hereto.

A Walcott

subscribed and sworn to
before me this the 12th
day of January 1898

Phil J Barrett

P. J. Barrett
Notary Public
Southern District
Ind Ter.

REGISTRY RECEIPT.

Post Office at

Registered Letter / Parcel No. 86 Rec'd 189

of Arthur Walcott

addressed to Green McCurtain
Sans Bois
Indian Terr

P. M.

Indian Territory
Southern District
Chickasaw Nation

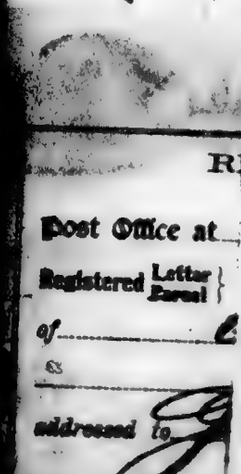
I A. Walcott
attorney for applicant do swear
that I have this day mailed
to Isaac McCurtain Governor of
the Chickasaw Nation true perfect
and literal copies of the and
Petition and affidavits annexed
hereto.

A Walcott

subscribed and sworn to
before me this the 12th
day of January 1898

Philip J Barrett

Philip J. Barrett
Notary Public
Southern District
Ind Ty.



W. H. Pittman for
Hardy Malcolm Pittman
v.
Choctaw Nation

Application for
enrollment of
child.

FILED
JAN 18 19..
[signature]
SEC'Y.

Choc. 5209.
A Wolcott
atty
Ardmore, O. T.

BEFORE THE COMMISSION TO THE FIVE CIVILIZED TRIBES

In Re.

Enrollment of Nellie Lee Pittman, as a member of the Choctaw Tribe of Indians by blood.

Applicant's father is named W. H. Pittman, who is a United States citizen, and her mother's name is Mollie Ella Pittman, who is a member of the Choctaw Tribe of Indians by blood.

Applicant was born on the 12th day of December, 1899, and is living with her parents, at Marietta, Chickasaw Nation, Indian Territory.

Indian Territory,)
)ss.
Chickasaw Nation.)

The affiant, Mollie Ella Pittman, says that she is thirty years of age, and is a member of the Choctaw Tribe of Indians by blood, and was admitted to citizenship in the case of J. N. Forbes, et. al. vs. the Choctaw Nation, and she has been duly registered by this commission as such. She says that she is the wife of W. H. Pittman, and was married to him in 1886, and is now living with him as his wife in Marietta, Indian Territory, Chickasaw Nation. She says that on the 12th day of December, 1899, she gave birth to a girl child, who has since been named Nellie Lee Pittman; that said child is now alive and living with her in Marietta and was begotten and born in lawful wedlock, with W. H. Pittman; and that said child is a member of the Choctaw Tribe of Indians by blood, and should be enrolled as such.

Mollie Ella Pittman

Subscribed and sworn to before me by Mollie Ella Pittman this 18th day of December, 1899.

Notary Public.

Indian Territory, }
Chickasaw Nation. } ss.

The affiant, B. S. Gardner, says that he is a practicing physician, living in the town of Marietta, Indian Territory; that he is acquainted with W. H. Pittman, and Mollie Ella Pittman; that they are husband and wife, and are living together in Marietta, I. T. That on the 12th day of December, 1899, he attended Mrs. Mollie Ella Pittman, as a physician, and delivered her of a girl baby, which was afterwards named ~~[illegible]~~ Mollie L. Pittman; that said child is still alive, and living with its parents in Marietta; and that said child was born in lawful wedlock between W. H. Pittman and Mollie Ella Pittman.

B S Gardner

Subscribed and sworn to before me by B. S. Gardner this 18th day of December, 1899.

Jno L. Davis
Notary Public.

BCD
7-5209.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

.....

In the matter of the application for the enrollment of Hardy M.Pittman and Nellie L.Pittman as citizens by blood of the Choctaw Nation.

.....

The applicants, Hardy M.Pittman and Nellie L.Pittman, claim their right to enrollment as citizens by blood of the Choctaw Nation through their mother, Mollie E.Pittman. The right of the applicants' mother, Mollie E.Pittman, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, June29, 1904, in case No.69 upon the Tishomingo docket of said court, it is hereby ordered that the application of Hardy M.Pittman and Nellie L.Pittman for enrollment as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Chairman.

Muskogee, Indian Territory,

SEP 19 1904

Choctaw-5209.

COPY.

Muskogee, Indian Territory, September 10, 1904.

William N. Pittman,

Marietta, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated September 10, 1904, dismissing the application for the enrollment of Hardy M. Pittman and Nellie L. Pittman, as citizens by blood of the Choctaw Nation.

Respectfully,

Chairman.

Registered.

Inc. 7-5209.

Choctaw-3209

COPY.

Muskogee, Indian Territory, September 12, 1904.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission, dated September 10, 1904, dismissing the application for the enrollment of Hardy M. Pittman and Nellie L. Pittman, as citizens by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

Tams Bixby.

Chairman.

Ins. 7-3209.

...w Court Car... 0 254

...tion of William H. Pitman and others.

William H. Pitman says:

Hardy M. was born November 14th 1897.

ZI have been living in the Chickasaw Nation since 1885.

William H. Pitman
Mollie E. Pitman
Eddie N. Pitman
Myrtle M. Pitman
Joseph H. Pitman
Alice M. Pitman
Ruby E. Pitman
Hardy M. Pitman

Ardmore, Sept. 23 1898.

enrolled.

[redacted]

Muskogee, Indian Territory, September 18, 1902.

Galen Wilson,

Eufaula, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 12th inst., in which it is stated that Joseph A. Pittman died last winter.

If this person was a citizen of the Choctaw or Chickasaw Nation, you are requested to state his age, the time and place application was made for his enrollment and the names of the other members of his family for whom application was made at the same time.

Respectfully,

Acting Chairman.

Chickasaw Roll
M.C.I.T. 484

Muskogee, Indian Territory, May 28, 1902.

Mrs. Emma Black,

Marietta, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter dated May which has been referred to this Commission by the Secretary of the Indian Territory for consideration and appropriate action. Therein you ask how you should proceed in order to obtain the lands which you desire to select in allotment.

In reply to your letter you are informed that it appears from our records that Emma F. Black was an applicant to this Commission for the identification of herself and her three minor children, John D., Molly and Clay Black, as Mississippi Chocktaws.

On June 10, 1902 the Commission rendered its decision refusing your application for the enrollment of yourself and children as Mississippi Chocktaws and on October 31, 1902 the Secretary of the Interior affirmed the decision of the Commission refusing your application.

It is not believed that you are at this time entitled to possessory rights in the tribal property of the Choctaw and Chickasaw Nations.

Respectfully,

Commissioner in Charge.

Choctaw 8890

Muskogee, Indian Territory, December 2, 1904.

Nick Wolfe,

Tishomingo, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of November 29, asking if the citizenship case of William H. Pittman was ever before the Commission, and if so, how the same has been decided.

In reply to your letter you are advised that on June 2d, 1904, the Choctaw and Chickasaw Citizenship Court denied the rights of William H. Pittman and his family as citizens of the Choctaw Nation. The Commission is therefore without further jurisdiction in this case.

Respectfully,

5210

Choc 5210 Jeff C. Johnson

See Petition #C-14

Decision rendered Nov 23, 1906

Refused

record forwarded Dept

Choctaw Court Card C. 255

In re application of Jeff C. Johnson and others.

Sworn by Commissioner McKennon.

Jeff C. Johnson says:

I have been living in the Chickasaw Nation continuously for 24 years. I am married to an intermarried citizen. My wife married a Indian. He died and now I am married to her. These children are by her.

Jeff C. Johnson
Lydia M. Johnson
Burleigh Johnson
Pearl Johnson
Burnice Johnson

Ardmore, Sept. 23, 1898.

enrolled.

Jeff. C. Johnson et al. petitioners,

vs.

Choctaw and Chic asaw N tions, defendants.

I, Thos. Norman, do solemnly swear that I served a true and Correct, perfect and complete Copy of the petition in the above styled case of Jeff. C. Johnson, to which this affidavit is attached, on Mansfied, McMurray & Cornish, on January 19, 1906, by registering said copy to them addressed to them at South McAlester on said date, and the registry receipt hereto attached was issued on said Registration.

Thos. Normen.

Subscribed and sworn to before me this January 20, 1906.

H.P. Stonnun.
Notary Public.

(SEAL).

(Registry Receipt Attached).

Department of the Interior,

Commissioner to the Five Civilized Tribes.

Jeff. C. Johnson et al., petitioners,	)	Petition for identification and enrollment.
VS.	)	
Choctaw and Chickasaw Nations, defendants.	)	

Come now petitioners herein, Jeff. C. Johnson, Burleigh Johnson, Pearl Johnson and Burnice Johnson, and respectfully state that they and each of them are citizens of the Choctaw Nation, and that as such they are entitled to be identified and enrolled on the rolls of citizens thereof, and to the enjoyment of all the rights, priviliges and immunities of any other citizen of that Nation.

As grounds therefor, the allege that Lydia M. Evans, a white woman and a resident of said Choctaw Nation, did on or about the 12 day of August 1869, marry, in accordance with the laws of said Nation, a citizen of said nation by blood named Jiles Thomas (Bud) Thompson, in the Choctaw Nation, whereby the said Lydia M. Evans, did then and there become a citizen of said Nation by marriage that she thereafterwards until the present time continued to reside in the Choctaw or Chickasaw Nation, and from that date until the present has always been a recognized citizen of the Choctaw Nation, and and enrolled on the rolls thereof; that she is now on said rolls, and her enrollment has been approved by the Secretary of the Interior, and she has taken her allotment of the lands of said Nation and her part of the monies thereof heretofore distributed.

Thereafterwards, on or about the 20 day of January 1871 the said Jiles Thomas (Bud) Thompson died, and thereafterwards, on or about the 27 day of June 1879, the said Lydia M. Thompson married a white man named Jeff. C. Thompson in accordance with the laws of said Nation, both parties being residents of said nation; that they have continued to be residents of either one or the other of said Nations at all times since then, and are now residents thereof; that by said last marriage the said Lydia M. Thompson became a new

ber and citizen of said Nation and has always remained such citizen .

Petitioers further state that while the said Lydia M. Johnson and the said Jeff. C. Johnson were citizens of said Choctaw Nation and residents of either the Choctaw or Chickasaw Nation, and while they owed immediate allegiance to said Choctaw Nation, they had born to them as the issue of their said marriage, the following children, all of whom are now living in the Chickasaw Nation, towit:- Burleigh Johnson born Cumberland Chic No July 1811880, Pearl Johnson born Leon Chic No August 13, 1883, and Burnice Johnson born Leon Chic Nat August 13 1888; that these said children being born of parents both of whom were citizens of the Choctaw Nation, and while said parents were residents as aforesaid, and while said parents were owing immediate allegiance to said nation, were themselves born to the same allegiance and to the same citizenship, Towit;- to citizenship in the Choctaw nation.

In 1896 they made written application to the Commission to the Five Civilized Tribes for identification and enrollment as said citizens, but were denied, whereupon they appealed to the Courts, and afterwards were before the citizenship court, which said courts had no jurisdiction. Later they made personal application in about 1898 at Ardmore while said Commission was making its field identification and enrollment of said citizens, and their names were placed on a card. They now claim enrollment under the Lula West and Mary Elizabeth Martin decisions.

Wherefore, considering the above, they pray to be identified and enrolled as citizens of said Choctaw Nation, and for any all other proper and suitable relief.

Thos. Norman
Attorneys for Petitioners

I, Jeff. C. JOHNSON, do solemnly swear that the facts and statemnets contained in the above petition are true.

Jeff. C. Johnson.

(SEAL)
Subscribed and sworn to before me this the 17 day of January, 1906.

C. A. Gipson
Notary Public.

(12)

C- 14
7-8210

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Jeff C. Johnson et al. as citizens of the Choctaw Nation.

D E C I S I O N

It appears from the record herein and from the records in the possession of the Commissioner to the Five Civilized Tribes that application was made to the Commission to the Five Civilized Tribes by Jeff C. Johnson at Ardmore, Indian Territory, September 23, 1898, for the enrollment of himself, his wife, Lydia M. Johnson, and his minor children, Burleigh Johnson, Pearl Johnson and Burnice Johnson as citizens of the Choctaw Nation.

It further appears from the records in the possession of the Commissioner to the Five Civilized Tribes that Jeff C. Johnson, Lydia M. Johnson, Burleigh Johnson, Pearl Johnson and Burnice Johnson were applicants to the Commission to the Five Civilized Tribes for admission to citizenship in the Choctaw Nation under the provisions of the Act of Congress approved June 10, 1896 (29 Stats., 321) in 1896 Choctaw Citizenship Case No. 1982; that on December 5, 1896, the Commission admitted said Lydia M. Johnson as a citizen by intermarriage of the Choctaw Nation and denied Jeff C. Johnson, Burleigh Johnson, Pearl Johnson and Burnice Johnson as citizens of said nation.

This cause was subsequently appealed to the United States Court for the Southern District of Indian Territory, which Court on December 21, 1897, in the case entitled "Lydia M. Johnson et al. vs. Choctaw Nation" rendered a judgment reversing the decision of the Commission to the Five Civilized Tribes as to the applicants, Jeff C. Johnson, Burleigh Johnson, Pearl Johnson and Burnice Johnson, and admitted said applicants to citizenship in the Choctaw Nation.

This judgment was subsequently vacated, set aside and held for naught by a decree of the Choctaw and Chickasaw Citizenship Court of December 17, 1902, in the test case of "Choctaw and Chickasaw Nations, or Tribes, vs. J. T. Riddle et al."

Said cause was subsequently certified to the Choctaw and Chickasaw Citizenship Court, created under the Act of Congress approved July 1, 1902 (32 Stats., 641) for a trial de novo, and on June 23, 1904, in the case of "Lydia M. Johnson et al. vs. Choctaw and Chickasaw Nations" (Choctaw-Chickasaw Citizenship Court Case No. 104, Tishomingo Docket) said Citizenship Court rendered a judgment, wherein it was "ordered,

adjudged and decreed that the plaintiff, Lydia M. Johnson, is entitled to be deemed a citizen by intermarriage of the Choctaw Nation, and to enrollment as such citizen, and to all the rights, privileges and immunities personal to herself which flow therefrom".

On November 29, 1904, said Court rendered a judgment in said case, wherein it was "ordered, adjudged and decreed that the petition of the plaintiffs, Jeff C. Johnson, Burleigh Johnson, Pearl Johnson and Burnice (or Burnie) Johnson be denied, and that they be declared not citizens of the Choctaw Nation and not entitled to enrollment as such citizens and not entitled to any rights whatever flowing therefrom".

The records of this office further show that Lydia M. Johnson has been enrolled as a citizen by intermarriage of the Choctaw Nation and her name appears upon the final roll of citizens by intermarriage of said nation approved by the Secretary of the Interior, opposite No. 1966.

Under the regulations adopted by the Commissioner to the Five Civilized Tribes January 2, 1906, there was filed on January 22, 1906, by Thomas Norman, attorney for the petitioners, a petition praying for the enrollment of Jeff C. Johnson, Burleigh Johnson, Pearl Johnson and Burnice Johnson as citizens of the Choctaw Nation; the petitioner, Jeff. C. Johnson, claiming the right to enrollment as a citizen by intermarriage of the Choctaw Nation by reason of his marriage to Lydia M. Johnson, who previous to her marriage to said Jeff C. Johnson was married to "Jiles Thomas (Jud) Thompson", a Choctaw Indian. The other applicants are the children of said Jeff C. Johnson and Lydia M. Johnson.

I am of the opinion that following the ruling of the Department of February 3, 1906 (I.T.D. 11582-1904), in the case of Emma McMenamin the application for the enrollment of Jeff C. Johnson and the petition filed January 22, 1906, in so far as same applies to Jeff C. Johnson, should be denied under the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641), and it is so ordered.

I am further of the opinion that, following the ruling of the Department of April 24, 1906 (I.T.D. 4048-1906), in the case of Mary Elizabeth Martin, the application for the enrollment of Burleigh Johnson, Pearl Johnson and Burnice Johnson as citizens of the Choctaw Nation and the petition filed January 22, 1906, in so far as it applies to said applicants, should be denied under the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641), and it is so ordered.

Commissioner.

Muskogee, Indian Territory,

_____.

7-5210
C-14.

Muskogee, Indian Territory, November 23, 1906.

Jeff C. Johnson,

Leon, Indian, Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered November 23, 1906, denying the application and petition for the enrollment of Jeff C. Johnson, Burleigh Johnson, Pearl Johnson and Burnice Johnson as citizens of the Choctaw Nation, under the provisions of the Act of Congress approved July 1, 1902 (32 Stats. 641).

The decision, with the record of proceedings in the case is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Commissioner.

Registered.
Incl. 7-5210.
C-14.

7-8210
C-14.

Muskogee, Indian Territory, November 23, 1906.

Thomas Norman,

Ardmore, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered November 23, 1906, denying the application and petition for the enrollment of Jeff C. Johnson, Burleigh Johnson, Pearl Johnson and Burnice Johnson as citizens of the Choctaw Nation, under the provisions of the Act of Congress approved July 1, 1902 (32 Stats. 641).

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Commissioner.

Registered.
Incl. 7-8210
C-14.

7-5210
C-14.

Muskogee, Indian Territory, November 23, 1906.

Mansfield, McMurray & Cornish,
Attorneys for the Choctaw and Chickasaw Nations,
McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered November 23, 1906, denying the application and petition for the enrollment of Jeff C. Johnson, Burleigh Johnson, Pearl Johnson and Burnice Johnson as citizens of the Choctaw Nation, under the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641).

The decision, with the record of proceedings in the case is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Commissioner.

Incl. 7-5210.
C-14.

Muskogee, Indian Territory, November 23, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith record of proceedings in the matter of the application and petition for the enrollment of Jeff C. Johnson, Burleigh Johnson, Pearl Johnson and Burnice Johnson as citizens of the Choctaw Nation, under the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641), including the decision of the Commissioner to the Five Civilized Tribes, dated November 23, 1906, denying said application and petition.

Respectfully,

Commissioner.

2 Incl 7-5210
C-14.

S.C. 11711.
I.T.D. 4038-1907.

J.F.J.Jr.
W.H.H.

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

LMS

February 26,1907.

DIRECT

Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:

November 23,1906, you transmitted the record in the matter of the application and petition for the enrollment of Jeff C. Johnson, Burleigh Johnson, Pearl Johnson and Burnice Johnson as citizens of the Choctaw Nation, including your decision of same date, denying said application and petition.

The Indian Office concurs in your decision, adverse to the applicants Jeff C. Johnson, Burleigh Johnson, Pearl Johnson and Burnice Johnson. A copy of its letter is enclosed.

In view of the opinion of the Attorney-General, dated February 19, 1907, your decision is hereby affirmed.

The papers in the matter have been this day returned to the Indian Office, for its files, together with a carbon copy hereof.

Respectfully,

Jesse H. Wilson,

Assistant Secretary.

1 enclosure, and
2 enclosures to Ind. Of.,
with copy hereof.

A.F.Mc.
2-26-07.

Supp.

Land.
103436-1906

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON.

February 10,1907.

The Honorable,

The Secretary of the Interior.

Sir:

Referring to Department letters of January 28, 1905, (I.T.D. 11862-1904) and July 10, 1906 (I.T.D. 2849), there is enclosed a report from the Commissioner to the Five Civilized Tribes, dated November 23, 1906, transmitting the record relative to the application of Jeff. C. Johnson, et al., for enrollment as citizens of the Choctaw Nation.

On September 23, 1898, Jeff C. Johnson applied to the Commission to the Five Civilized Tribes for the enrollment of his minor children Burleigh, Pearl and Burnice Johnson, as citizens by blood and for the enrollment of himself and his wife, Lydia M. Johnson as citizens by intermarriage.

On November 23, 1906, the Commissioner held that the applicants were not entitled to enrollment, with the exception of Lydia M. Johnson who is enrolled as a citizen by intermarriage of the Choctaw Nation.

The record shows that Lydia M. Johnson is identified at No. 1956 on the approved roll of citizens by intermarriage of the Choctaw Nation.

Jeff C. Johnson claims the right to be enrolled as a citizen by intermarriage of the Choctaw Nation by reason of his

marriage to Lydia M. Johnson and the minor applicants are the children of Jeff C. and Lydia M. Johnson.

In view of the opinion of the Assistant Attorney General for the Department of January 28, 1908 (I.T.D. 11582-1904) in the case of Emma McClennahan, and of the decision of the Department of July 10, 1908 (I.T.D. 2848) in the case of William Jesse Bacon, and by reason of the provisions of the Act of June 21, 1906 (34 Stat.L., 325) the decision of the Commissioner adverse to all the applicants with the exception of Lydia M. Johnson is recommended for approval.

Very respectfully,

C. F. Larrabee,

Acting Commissioner.

H.R.D. -WL.

7-5210
C-14.

Muskogee, Indian Territory, April 18, 1907.

Jeff C. Johnson,

Leon, Indian Territory.

Dear Sir:

You are hereby advised that on February 26, 1907, the Secretary of the Interior affirmed the decision of this office of November 23, 1906, denying the application and petition for the enrollment of Jeff C. Johnson, Pearl Johnson and Burnice Johnson as citizens of the Choctaw Nation, under the provisions of the Act of Congress approved July 1, 1902 (32 Stats. 641).

Respectfully,

Commissioner.

7-6210
6-14

Muskogee, Indian Territory, April 16, 1907.

Thomas Norman,

Ardmore, Indian Territory.

Dear Sir:

You are hereby advised that on February 26, 1907, the Secretary of the Interior affirmed the decision of this office of November 23, 1906, denying the application and petition for the enrollment of Jeff C. Johnson, Burleigh Johnson, Pearl Johnson and Burnice Johnson as citizens of the Choctaw Nation, under the provisions of the Act of Congress approved July 1, 1902 (32 Stats. 641).

Respectfully,

Commissioner.

7-8210
C-14

Muskogee, Indian Territory, April 16, 1907.

Mansfield, McMurray & Cornish,
Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on February 26, 1907, the Secretary of the Interior affirmed the decision of this office of November 23, 1906, denying the application and petition for the enrollment of Jeff C. Johnson, Burleigh Johnson, Pearl Johnson and Burnice Johnson as citizens of the Choctaw Nation, under the provisions of the Act of Congress approved July 1, 1902 (32 Stats. 641).

Respectfully,

Commissioner.

Choctaw 1896.

Muskogee, Indian Territory, May 29, 1896.

J. D. Talisfero,

Leon, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of the twenty second instant in which you desire to be informed if Jeff C. Johnson and the members of his family have been enrolled as citizens of the Choctaw or Chickasaw Nation.

Replying to your inquiry you are informed that it appears from our records that on September 23, 1896, Jeff C. Johnson, forty years of age, of Leon, Indian Territory, together with his wife, Lydia J. Johnson, and their three minor children, Burleigh, Pearl and Bernice Johnson, were listed for enrollment as citizens of the Choctaw Nation, having been admitted to such citizenship by a judgment of the United States Court for the Southern District of the Indian Territory, at Ardmore, rendered December 31, 1895, in Choctaw citizenship case Number 107.

Yours truly,

Commissioner in Charge.

B.C. 11711.
I.T.D. 4038-1907.

J.E.Jr.
W.E.M.

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

LRS

DIRECT

February 26,1907.

Commissioner to the Five Civilized Tribes,
Muskogee, Indian Territory.

Sir:

November 23,1906, you transmitted the record in the matter of the application and petition for the enrollment of Jeff C. Johnson, Burleigh Johnson, Pearl Johnson and Burnice Johnson as citizens of the Choctaw Nation, including your decision of same date, denying said application and petition.

The Indian Office concurs in your decision, adverse to the applicants Jeff C. Johnson, Burleigh Johnson, Pearl Johnson and Burnice Johnson. A copy of its letter is enclosed.

In view of the opinion of the Attorney6General, dated February 19, 1907, your decision is hereby affirmed.

The papers in the matter have been this day returned to the Indian Office, for its files, together with a carbon copy hereof.

Respectfully,

Jesse E. Wilson,
Assistant Secretary.

1 enclosure, and
2 enclosures to Ind. Of.,
with copy hereof.

A.F.Mc.
2-26-07.

Copy.

Land.
103435-1906

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON.

February 18,1907.

The Honorable,

The Secretary of the Interior.

Sir:

Referring to Department letters of January 28, 1905, (I.T.D. 11588-1904) and July 10, 1906 (I.T.D. 2340), there is enclosed a report from the Commissioner to the Five Civilized Tribes, dated November 23, 1906, transmitting the record relative to the application of Jeff. C. Johnson, et al., for enrollment as citizens of the Choctaw Nation.

On September 23, 1898, Jeff C. Johnson applied to the Commission to the Five Civilized Tribes for the enrollment of his minor children Burleigh, Pearl and Burnice Johnson, as citizens by blood and for the enrollment of himself and his wife, Lydia M. Johnson as citizens by intermarriage.

On November 23, 1906, the Commissioner held that the applicants were not entitled to enrollment, with the exception of Lydia M. Johnson who is enrolled as a citizen by intermarriage of the Choctaw Nation.

The record shows that Lydia M. Johnson is identified at No. 1956 on the approved roll of citizens by intermarriage of the Choctaw Nation.

Jeff C. Johnson claims the right to be enrolled as a citizen by intermarriage of the Choctaw Nation by reason of his

marriage to Lydia M. Johnson and the minor applicants are the children of Jeff C. and Lydia M. Johnson.

In view of the opinion of the Assistant Attorney General for the Department of January 25, 1908 (I.T.D. 11582-1904) in the case of Emma McMenamin, and of the decision of the Department of July 10, 1906 (I.T.D. 3548) in the case of William Jesse Bacon, and by reason of the provisions of the Act of June 21, 1906 (34 Stat.L., 325) the decision of the Commissioner adverse to all the applicants with the exception of Lydia M. Johnson is recommended for approval.

Very respectfully,

C. F. Larrabee,

Acting Commissioner.

H.R.D. -NL.

Choc 5211 H. E. Forbes

5211

Choctaw Court Card C. 256

...ion of H.E.Forbes and others .

H.E.Forbes says:

Stanley M. was admitted as "M.S.".

I have been living in the Chickasaw Nation continuously with my family 26 years.

Ardmore, Sept. 23 1898.

H.E.Forbes
Eugene E. Forbes
Stanley M. Forbes

enrolled.

Choc 5212 Lycurgus C. Barrow

See C#427

Record in Choctaw #3528

5212

Choctaw Court Card C. 257

IN THE matter of Lycurgus C. Barron and others.

Lycurgus C. Barron says:

I last lived in Texas last year, and returned to the Territory June 10th 1897, and have been living here ever since.

Lycurgus C. Barron
Mattie Barron

Ardmore, Sept. 28 1898.

enrolled.

Purcell, Indian Territory, March 26, 1902.

R. L. Grubbs,

Durant, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 25th instant enclosing the application for enrollment as a citizen of the Choctaw Nation of Joe Grubbs, the infant daughter of Robert L. and Ellen Grubbs, born January 19th, 1902, and the same being in proper form has been duly filed with the records of this Commission and the child listed for enrollment as a citizen of the Choctaw nation.

Yours truly,

Acting Chairman.

7-2028

D.C. 16819.
I.T.D. 8192-1907.
L.R.S. 1

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

J.P.
LLB

March 9, 1907.

Commissioner of the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:

The petition in the matter of the claim of R. L. Crudup et al. for enrollment as a citizen of the Choctaw Nation, received March 5, 1907, with your letter, direct, of March 1, 1907, has been sent to theIndian Office with your letter for its files.

The papers were received after the jurisdiction of the Department to enroll anyone in the Choctaw Nation had ceased. The motion, however, presents no ground upon which the Department could have enrolled the applicants.

Respectfully,

Jesse E. Wilson,

Assistant Secretary.



1—015

SPECIAL

[redacted]

[redacted]

AUG 28 [redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

(Signed) E.B. Meritt

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

CHARLES L. MCNARY, OREG., CHAIRMAN
GEORGE W. NORRIS, NEBR.
ARTHUR CAPPER, KANS.
HENRY W. KEYES, N. H.
FRANK R. GOODING, IDAHO
PETER NORBECK, S. DAK.
LYNN J. FRAZIER, N. DAK.
ARTHUR R. GOULD, ME.
HERBERT SHIPSTEAD, MINN.
ELLISON D. SMITH, S. C.
JOSEPH E. RANSDELL, LA.
JOHN B. KENDRICK, WYO.
J. THOMAS HEFLIN, ALA.
THADDEUS H. CARAWAY, ARK.
EARLE B. MAYFIELD, TEX.
DUNCAN K. MCDUFFIE, MISS.
ELMER THOMAS, OKLA.
M. H. KIEFER, CLERK

United States Senate

COMMITTEE ON
AGRICULTURE AND FORESTRY

August 18, 1928

DEPARTMENT
RECEIVED
AUG 27 1928
NO. 3568
Dept. Five Civilized Trib

41723
AUG 21 1928
OFFICE OF INDIAN AFFAIRS

Hon. Chas. H. Burke,
Commissioner, Indian Affairs,
Department of Interior,
Washington, D. C.

My dear Mr. Burke:

I have had a letter from Mr. L. C. Barron of Alma, Oklahoma, asking assistance in connection with his claim.

Mr. Barron is a Choctaw Indian, and he advises me that he was placed on the rolls by the Daws Commission, and at that time, held some land. It seems that after a few months it was decided that his judgment did not hold, and he was removed from the rolls.

If it is possible, I will appreciate the fact if you will make an investigation of this matter, and advise me of the status of the case and the reasons for his removal from the rolls, and the loss of his land.

Thanking you for your consideration of this matter, and for a report thereon, I am

Yours most cordially,

Elmer Thomas
U.S.S.

ET:S

Marshall
1-17
10 LW
1, 11

Choc 5213 . Lela Berry

Nos 2-3-4 Dismissed May 23/1904

5213

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

---o---

Record in the matter of the application for enrollment as citizens by blood of the Choctaw Nation of:

Ethel C. Berry, et al., 7-5213.

---o---

CHOCTAW.

INDEXED

20

IN RE

Application for Enrollment of

INFANT CHILD

Cyril Clayton Berry

as a citizen of

Choctaw Nation.

Approved AUG 30 1902 190

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
AUG 30 1902

ACTING CHAIRMAN.

CHOCTAW.

5213

BIRTH AFFIDAVIT. 20

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Cyrel Elaton Berry, (Here insert name of child.) born on the 5th day of July, 1902
Name of Father: C. A. Berry a citizen of the ~~Choctaw~~ Nation.
Name of Mother: Lela Mary Berry a citizen of the Choctaw Nation.
Post-office Roxia, I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY.
Southern District.

I, Lela Berry, on oath state that I am 26 years of age and a citizen, by blood, of the Choctaw Nation; that I am the lawful wife of C. A. Berry, who is ~~a citizen~~, by ~~_____~~, of the ~~_____~~ Nation; that a male (male or female.) child was born to me on 5th day of July, 1902; that said child has been named Cyrel Elaton Berry, and is now living.

Lela Mary Berry

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 19th *day of* August 190 2

J. H. Pittman
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY.
_____ District,

Wm. F. J. Bamm & J. W. McMahon Physicians, on oath state that I (or we) attended on Mrs Lela Berry, wife of C. A. Berry on the 5th day of July, 1902, that there was born to her on said date a Male (male or female.) child; that said child is now living and is said to have been named Cyrel Elaton Berry

W. F. J. Bamm
J. W. McMahon

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 19 August 190 2

J. H. Pittman
NOTARY PUBLIC.

D610

7-5213.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

----o----

In the matter of the application for the enrollment of Ethel C. Berry, Ruby Dale Berry and Cyrel Claton Berry as citizens by blood of the Choctaw Nation.

----o----

The applicants, Ethel C. Berry, Ruby Dale Berry and Cyrel Claton Berry, claim their right to enrollment as citizens by blood of the Choctaw Nation through their mother Lela Berry. The right of the applicants' mother, Lela Berry, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, April 30, 1904, in case No. 45, upon the South McAlester docket of said court, it is hereby ordered that the application of Ethel C. Berry, Ruby Dale Berry and Cyrel Claton Berry for enrollment as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Chairman.

Muskogee, Indian Territory,

MAY

Choctaw 5213

COPY.

Muskogee, Indian Territory, June 9, 1906.

Lela Berry,

Ravia, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated May 27, 1906, dismissing the application for enrollment as citizens by blood of the Choctaw Nation of Ethel M. Berry, Ruby Lela Berry and Cyrel Clinton Berry.

Respectfully,

SIGNED

Tams Bixby.

Chairman.

Registered.

Incl. 7-5213.

Choctaw 5213

COPY.

Muskogee, Indian Territory, June 7, 1904.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated May 27, 1904, dismissing the application for enrollment as citizens by blood of the Choctaw Nation of Ethel C. Berry, Ruby Dale Berry and Cyral Claton Berry.

Respectfully,

(SIGNED)

Tams Bixby.

Chairman.

Registered.

Incl. 7-5213.

(See Choctaw 5334 for registry receipt for this letter.)

IN RE

Application for Enrollment of

INFANT CHILD

Ruby Dale Berry.

as a citizen of the

Choctaw. Nation.

Approved MAY 24 1900 - 190

Commissioner.

FILED
APR 2 1900
COMMISSION TO FIVE TRIBES.

Choc.
5213

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Chocktaw Nation,
of Ruby Dale Berry, born on the 2nd day of March, 1900
(Here insert name of child.)
Name of Father: E. A. Berry, a citizen of the x x x x Nation.
Name of Mother: Lela Berry, a citizen of the Chocktaw Nation.
Postoffice. Ru[illegible] I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, }
INDIAN TERRITORY.
Southern District. }

I, Lela Berry, on oath state that I am 24 years of age and a citizen, by Birth, of the Chocktaw Nation; that I am the lawful wife of E. A. Berry, who is a citizen, by x x x x, of the Nation: that a Female (male or female) child was born to me on the 2nd day of March, 1900; that said child has been named Ruby Dale Berry, and is now living.

WITNESSES TO MARK:

(Must be Two Witnesses) }

Lela Berry

Subscribed and sworn to before me this 26th day of March 1900

W. T. Moody
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, }
INDIAN TERRITORY.
Southern District. }

I, J. H. Buff, a Physician, on oath state that I attended on Mrs. Lela Berry, wife of E. A. Berry, on the 2nd day of March, 1900, that there was born to her on said date a Female (male or female) child; that said child is now living and is said to have been named Ruby Dale Berry.

J. H. Buff

WITNESSES TO MARK

(Must be Two Witnesses) }

Subscribed and sworn to before me this 26th day of March 1900

W. T. Moody
NOTARY PUBLIC.

W.O.B.

COMMISSIONERS
TAMS BIXBY
THOMAS B. NEEDLES
C. R. BRECKINRIDGE
WM. O. BEALL
SECRETARY

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

Choctaw 5213

ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, June 7, 1904.

Lela Berry,

Ravia, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated May 27, 1904, dismissing the application for enrollment as citizens by blood of the Choctaw Nation of Ethel C. Berry, Ruby Dale Berry and Cyrel Claton Berry.

Respectfully,

Chairman.

Registered.

Incl. 7-5213.

[redacted]

Muskogee, United States, August [redacted], 1906.

C.A. Berry,

Marie, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Cyrus Clifton Berry, infant son of C.A. and Lula Mary Berry, born July 6, 1906; and the same being in proper form has been duly filed with the records of the Commission, and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Acting Secretary.

Choc 5214 Sam Askew

#2-3-4 Dismissed Nov 12, 1964

Notice and decision in 2-5200

see Det #C-105

5214

7-8224.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

COPY.

In the matter of the applications of Frankie Beatrice Ashew and Lee Ashew for enrollment as citizens by blood of the Choctaw Nation, and for the enrollment of Lena Ashew as a citizen by intermarriage of said nation.

- - - - - -

The applicants, Frankie Beatrice Ashew and Lee Ashew, claim the right of enrollment as citizens by blood of the Choctaw Nation through their father Sam Ashew, and the applicant, Lena Ashew, claims her right to enrollment as a citizen by intermarriage of said nation by reason of her marriage to the said Sam Ashew.

The right of the said Sam Ashew to enrollment as a citizen by blood of the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court on September 19, 1904, in case number 2 upon the Finalmingo docket of said court, it is hereby ordered that the applications of Frankie Beatrice Ashew and Lee Ashew for enrollment as citizens by blood of the Choctaw Nation and of Lena Ashew for enrollment as a citizen by intermarriage of said nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

SIGNED

Tams Bixby

Chairman.

Muskogee, Indian Territory,

NOV 12 1904

COPY.

Choctaw 5214

Muskogee, Indian Territory, November 12, 1904.

Lena Askew,

Knox, Indian Territory,

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated November 12, 1904, dismissing the application for the enrollment of yourself as a citizen by intermarriage,,and your minor children, Frankie Beatrice Askew and Leo Askew, as citizens by blood of the Choctaw Nation.

Respectfully,

SIGNED

Tams Bixby

Chairman.

Registered.

Incl. 7-5214.

[redacted] 5214

COPY.

Muskogee, Indian Territory, November 14, 1904.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chicka saw Nations,

South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission dated November 12, 1904, dismissing the application for the enrollment of Frankie Beatrice Askew nad Leo Askew as citizens by blood, and Lena Askew as a citizen by intermarriage, of the Choctaw Nation.

Respectfully,

[redacted]

Tams Bixby

Incl. 7-5214

Chairman.

C- 105
-5073
5074
-106
5122
5123
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5200
5201
5214

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of West Askew, et al., as citizens of the Choctaw Nation.

OPINION.

It appears from the records herein and from the records in the possession of the Commissioner to the Five Civilized Tribes that a plication was made to the Commissioner to the Five Civilized Tribes at Ardmore, Indian Territory, on December 18, 1899, by West Askew, for the enrollment of himself, his wife, Nancy Ann Askew, William O. Askew, Mary A. Askew, Elizabeth V. Askew, Ada Askew and Oscar D. Askew, children by blood of the Choctaw Nation. Askew, a citizen by blood of the Choctaw Nation; that on April 10, 1901, written application was made for the enrollment of Marie Heffner as a citizen by blood of the Choctaw Nation; that on April 11, 1901, written application was made for the enrollment of Julius Edward Askew as a citizen by blood of the Choctaw Nation; that on April 11, 1901, written application was made for the enrollment of Nancy Ann Heffner as a citizen by blood of the Choctaw Nation; that application was made by William O. Askew at Ardmore, Indian Territory, September 24, 1902, for the enrollment of himself and minor children, Willie Askew, Ellen Askew, and Tom Askew as citizens by blood of the Choctaw Nation, and for the enrollment of his wife, Nancy Askew, as a citizen by intermarriage of said nation; that application was made by Rebecca Askew, at Ardmore, Indian Territory, September 24, 1902, for the enrollment of herself as a citizen by blood of the Choctaw Nation; that a application was made by William O. Askew at Ardmore, Indian Territory, September 2, 1899, for the enrollment of himself and minor children, Thomas Askew, Mary Askew, Tommy Askew, Willie Askew, Gilbert Askew and Annie Askew as citizens by blood of the Choctaw Nation, and for the enrollment of his wife, Nellie Askew, as a citizen by intermarriage of said nation; that on October 1, 1900, written application was made for the enrollment of Ethel Askew, minor daughter of said William O. Askew and Nettie Askew, as a citizen by blood of the Choctaw Nation; that on August 16, 1901, written application was made for the enrollment of Robert Askew, minor son of the said William O. Askew and Nellie Askew, as a citizen by blood of the Choctaw Nation; that on November 3, 1901, written application was made for the enrollment as a citizen by blood of the Choctaw Nation of Nancy Florence Askew, minor child of Thomas Askew, deceased husband, and Shipman; that a application was made for Jackson at Ardmore, Indian Territory, September 3, 1902, for the enrollment of himself and his minor children, Taylor Jackson, Alice Jackson, Charles Jackson, Oscar

Jackson and Ethel Jackson, as citizens by blood of the Choctaw Nation; that application was made by Mary C. Brewer at Ardmore, Indian Territory, September 15, 1896, for the enrollment of herself and minor children, Emma Brewer and Elmer Brewer, as citizens by blood of the Choctaw Nation; that on December 1 , 1896, written application was made for the enrollment of the applicant, Mary . Brewer, minor daughter of said Mary C. Brewer and T. . Brewer, as a citizen by blood of the Choctaw Nation; that application was made by George W. Askew at Ardmore, Indian Territory, , 1896, for the enrollment of himself and minor children, Sophia Askew and Alice Askew, as citizens by blood of the Choctaw Nation, and for the enrollment of his wife, Dora Askew, as a citizen by intermarriage of said nation; that application was made by M. Burnett at Ardmore, Indian Territory, September , 1896, for the enrollment of herself as a citizen by blood of the Choctaw Nation; that application was made by George W. Askew at Ardmore, Indian Territory, September 15, 1896, for the enrollment of himself as a citizen by blood of the Choctaw Nation, and for the enrollment of his wife, Lena Askew, as a citizen by intermarriage of said nation; that on March 20, 1897, written application was made for the enrollment of Frankie Beatrice Askew, minor daughter of Sam Askew and Lena Askew, as a citizen by blood of the Choctaw Nation; that on April , 1901, written application was made for the enrollment of Two Askew, minor son of Askew and Lena Askew, as a citizen by blood of the Choctaw Nation, which application was made by John Askew at Ardmore, Indian Territory, September 20, 1898, for the enrollment of his wife as a citizen by blood of the Choctaw Nation.

It further appears from the records of the Commission to the Five Civilized Tribes that the applicants, William . Askew, Sallie T. Askew, George W. Askew, Sam Askew, Martha Askew, Bettie Askew, Alice Askew, Joe Askew, Frankie Askew, Thane Askew, Mary Askew, Jenny Askew, Willie Askew, Caleb Askew, Lizzie Askew, Dora Askew and Sophia Askew, who applicants to the Commission to the Five Civilized Tribes for enrollment of citizenship in the Choctaw Nation under the provisions of the Act of Congress approved June 10, 1896, (29 Stats., 321); that there were denied such admission by decision of the Commission of December 1, 1897 (1 Choctaw, Chickasaw & Freedmen Dec., 17); but from this decision an appeal was taken to the United States Court for the Southern District of Indian Territory, which Court on December 21, 1897,) in the case entitled "William . Askew, et al., vs. Choctaw Nation", rendered a judgment reversing the decision of the Commission to the Five Civilized Tribes as to the applicants, and admitted all of said applicants to citizenship in the Choctaw Nation, except Martha Askew, Bettie Askew and Dora Askew. On March 14, 1898, said Court rendered a supplemental decision in said case, admitting said Martha Askew, Bettie Askew and Dora Askew to citizenship in the Choctaw Nation.

These judgments are subsequently vacated, set aside, and held for naught by decree of the Choctaw and Chickasaw Citizenship Court on December 17, 190 , in the test case of "Choctaw and Chickasaw Nations, or Tribes, vs. J. . Parkle, et al."

Said cause was subsequently certified to the Choctaw and Chickasaw Citizenship Court, created by the Act of Congress approved July 1, 1902 (32 Stats., 641), for a trial de novo, and on September 1, 1904, said Citizenship Court in the case entitled "William Hunt Askew, et al., vs. Choctaw and Chickasaw Nations" (Choctaw-Chickasaw Citizenship Court Case No. [illegible], Enrolling Docket), rendered a judgment thereon, wherein it was "ordered, adjudged and decreed that the petition of the plaintiffs, William Hunt Askew, [illegible] Askew, [illegible] Askew, Ellen Askew, [illegible] Askew, Willie Askew, [illegible] Askew, [illegible] Askew, Albert Askew, [illegible] Askew, [illegible] Askew, Washington Askew, [illegible] Askew, be dismissed, and that they be not [illegible] following [illegible]."

[illegible] Askew, [illegible] Askew, [illegible] Askew, Elizabeth [illegible], [illegible], Mrs. [illegible], Mrs. [illegible], Mrs.

rendered a judgment therein, wherein it was ordered, adjudged and decreed that the petition of the plaintiffs, Newt Askew, Nancy Malinda Askew, William Howard Askew, Dallas Alexander Askew, Henry Edward Askew, Rexie Cordelia Carter (nee Askew), or Rexie Cordelia Askew, Jennie Askew, or John Askew, Mary Catherine Brewer, or May Catherine Brewer, Emma Brewer, Elmer Brewer, Mary Ellen Jackson, Taylor Franklin Jackson, Alma Jackson, Charlie Jackson, Reesee Jackson, Elizabeth Viola Hefner (nee Askew), or Elizabeth Viola Askew, and Rebecca Askew be denied, and that they be declared not citizens of the Choctaw Nation, and not entitled to enrollment as such citizens and not entitled to any rights whatever flowing therefrom."

On November 12, 1904, the Commission to the Five Civilized Tribes issued orders dismissing the applications for the enrollment of Alpha Marie Hefner, Nancy Ann Hefner, Julius Edward Askew, Mary B. Brewer, Lena Askew, Frankie Beatrice Askew, Lee Askew, Alice Askew, Ethel Askew, Robert Askew, Robert Fley Shipman, and Ethel Jackson, for the reason that the persons through whom they claimed the right to enrollment had been denied citizenship by the Choctaw and Chickasaw Citizenship Court.

On December 3, 1904, the Commission to the Five Civilized Tribes issued an order dismissing the application for the enrollment of Martha E. Turner as a citizen by blood of the Choctaw Nation in accordance with the opinion of the Acting Attorney General dated May 9, 1904 (I.T.D. 3824-1904), and the opinion of the Assistant Attorney General for the Department of the Interior dated July 30, 1904 (I.T.D. 5246-1904).

Under the regulations adopted by the Commissioner to the Five Civilized Tribes January 2, 1906, there was filed on March 14, 1906, by Thomas Norman, attorney for the petitioners, a petition praying for the enrollment of the following persons as citizens of the Choctaw Nation: Newt Askew, Nancy Malinda Askew, John Askew, Dallas Alexander Askew, Carrie Margarette Askew, Rexie Cordelia Carter (nee Askew), Marshall Turner, Mary Ellen Jackson, Tom Jackson Taylor Jackson, Alma Jackson, Charley Jackson, Reesee Jackson, Ethel Jackson, Viola Elizabeth Hefner, Joe Hefner, Alpha Marie Hefner, Nancy Ann Hefner, Mary Catherine Brewer, George Brewer, Emma Narcissus Brewer, Elmer Washington Brewer, Mary Belle Brewer, William Howard Askew, Tavia Askew, Julius Edward Askew, Henry Edward Askew, Rebecca Askew, William Quint Askew, Martha Askew, Mattie Askew, Ellen Askew, Tom Askew, William Thomas Askew, Bettie Askew, Perry Askew, Tom Askew, Lillie Askew, Gilbert Askew, Lizzie Askew, Ethel Askew, Robert Askew, Thaney Shipman, Fley Shipman, George Washington Askew, Dora Anderson Askew, Sophia Askew, Alice Askew, Sam Askew, Lena Askew and Lee Askew.

It is alleged in the petition that the petitioners are Choctaw descendants of Choctaw ancestry; that they took up a residence in the Indian Territory between the years 1880 and 1890, and have continued to reside in either the Choctaw or Chickasaw Nation since that time; that they claimed before and after their removal to said nations to be citizens of the Choctaw Nation by virtue of their Choctaw blood and Choctaw descent; that all their

kinsfolk on Choctaw Indian side of the family, or a great many of them, are on the roll as citizens of the Choctaw Nation, that they have taken their allotment of lands and drawn their share of moneys thereof, and that their enrollment has long since been approved by the Secretary of the Interior.

The petitioners further state that among other children, an old half-blood Choctaw Indian, named Aaron Askew, had three children, two boys named Merrill and Tom, and one girl named Elizabeth, or Betty, who married a man named Douglas; that the United States Indian Agent rendered a decision about 1890, which was approved by the Choctaw Council, in which he adjudged the children of Merrill Askew to be citizens of the Choctaw Nation, all of whom are now on the approved roll of Choctaws; that in 1896 the Commission to the Five Civilized Tribes rendered a decision that the children of Elizabeth Douglas were citizens of the Choctaw Nation, and from this decision no appeal was taken; that all of said children are on the approved Choctaw rolls; that the petitioners herein are the legitimate descendants of the other brother named Tom Askew, and that they as well as the descendants of the said Merrill Askew and Elizabeth Douglas (nee Askew) are citizens of said nation.

On July 19, 1906, written applications were made to the Commissioner to the Five Civilized Tribes for the enrollment of the following persons as citizens by blood of the Choctaw Nation, under the provisions of the Act of Congress approved April 26, 1906 (34 Stats., 137): Carl Hefner, born February 23, 1906, minor child of Joe H. Hefner and Viola Hefner; Perry O. Askew, born June 4, 1903, minor child of George W. Askew and Dora A. Askew; Oscar G. Askew, born December 22, 1902, and Vernie Askew, born July 11, 1905, minor children of Dallas A. Askew and Carrie L. Askew; Violet Askew, born September 25, 1904, minor child of William H. Askew and Octavia V. Askew; Arthur W. Carter, born January 16, 1904, minor son of Charles Carter and Roxy C. Carter; and Roy Shipman, born August 12, 1905, minor child of Ton Shipman and Thanie Shipman. April 26, 1906, written application was made for the enrollment of Vera Shipman, born September 29, 1903, minor child of Thanie Shipman and T. D. Shipman, as a citizen by blood of the Choctaw Nation.

It does not appear from the records in the possession of the Commissioner to the Five Civilized Tribes that any of the applicants has ever been recognized or enrolled as a citizen of the Choctaw Nation by any duly constituted authority.

The names of none of said applicants appear upon any of the tribal rolls of the Choctaw Nation in the possession of the Commissioner to the Five Civilized Tribes.

I am of the opinion that inasmuch as it does not appear from the record herein or from the records in the possession of this office that any of the applicants who applied to the Commission to the Five Civilized Tribes in 1896 possessed any tribal status as citizens of the Choctaw Nation, said Commission had jurisdiction to pass upon their rights as citizens of said nation, and I am without authority to take any action looking to their enrollment as citizens of said nation, and that the petition in so far as it relates to said applicants should be dismissed, and it is so ordered.

I am further of the opinion that as to those persons whose applications were dismissed for the reason that they failed to appeal to the Choctaw and Chickasaw Citizenship Court, or for the reason that their parents had been denied by a decree of said court, said dismissals should be affirmed, and the petition in so far as it relates to said applicants should be dismissed, and it is so ordered.

[redacted]

[redacted]
Commissioner.

Muskogee, Indian Territory,
Oct. 23, 1906.

7-5284

Muskogee, Indian Territory, October 23, 1906.

Sam Askew,

Knox, Indian Territory.

Dear Sir:

You are hereby notified that the Commissioner to the Five Civilized Tribes, on October 23, 1906, rendered his decision, dismissing the applications and petition for the enrollment of yourself, Frankie Beatrice Askew and Leo Askew, as citizens by blood, and Lena Askew as a citizen by intermarriage, of the Choctaw Nation.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Commissioner.

Registered.

C-108
7-5200 et al.

COPY.

Muskogee, Indian Territory, October 23, 1906

Thomas Norman,

Attorney at Law,

Ardmore, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered October 23, 1906, dismissing the application and petition for the enrollment of Newt Askew, Nancy M. Askew, Henry B. Askew, William H. Askew, Elizabeth V. Askew, Dallas A. Askew, Roxy C. Askew, Alpha Marie Hefner, Julius Edward Askew, Nancy Ann Hefner, William G. Askew, Mattie Askew, Ellen Askew, Tom Askew, Rebecca Askew, William T. Askew, Thane Askew, Perry Askew, Tommy Askew, Lillie Askew, Gilbert Askew, Lizzie Askew, Ethel Askew, Robert Floy Chipman, Robert Askew, Mary E. Jackson, Tayler F. Jackson, Alma Jackson, Charley Jackson, Roscoe Jackson, Ethel Jackson, Mary C. Brewer, Emma Brewer, Elmer Brewer, Mary B. Brewer, George W. Askew, Sophia Askew, Alice Askew, Martha E. Turner, Sam Askew, Frankie Beatrice Askew, Lee Askew, and John Askew, as citizens by blood of the Choctaw Nation, and the applications and petition for the enrollment of Martha Askew, Bettie Askew, Lena Askew, and Dora Askew as citizens by intermarriage of said nation and denying the application for the enrollment of Carl Hefner, Perry

T. M. - - #2.

Q. Askew, Oscar C. Askew, Vernie Askew, Violet Askew, Arthur W. Carter, Roy Shipman, and Vera Shipman as citizens by blood of the Choctaw Nation, under the provisions of the Act of Congress approved April 26, 1906.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Signed. Tams Bixby

Commissioner.

Registered.

Incl. C-103--J-5200 et al.

C-106
V-3200 et al.

COPY.

Muskogee, Indian Territory, October 23, 1906

Bruce, Bruce and Bleakmore,

Attorneys at Law,

Ardmore, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered October 23, 1906, dismissing the applications and petition for the enrollment of Newt Askew, Nancy M. Askew, Henry E. Askew, William H. Askew, Elizabeth V. Askew, Dallas A. Askew, Roxy C. Askew, Alpha Marie Hefner, Julius Edward Askew, Nancy Ann Hefner, William C. Askew, Mattie Askew, Ellen Askew, Tom Askew, Rebecca Askew, William T. Askew, Thane Askew, Perry Askew, Tommy Askew, Lillie Askew, Gilbert Askew, Lizzie Askew, Ethel Askew, Robert Fley Shipman, Robert Askew, Mary E. Jackson, Taylor P. Jackson, Alma Jackson, Charley Jackson, Rossee Jackson, Ethel Jackson, Mary C. Brewer, Emma Brewer, Elmer Brewer, Mary B. Brewer, George W. Askew, Sophia Askew, Alice Askew, Martha E. Turner, Sam Askew, Frankie Beatrice Askew, Lee Askew, and John Askew, as citizens by blood of the Choctaw Nation, and the applications and petition for the enrollment of Martha Askew, Nettie Askew, Lena Askew, and Dora Askew, as citizens by intermarriage of said nation, and denying the application for the enrollment of Carl

C. C. & B. - - 92.

Hefner, Perry Q. Askew, Oscar C. Askew, Vernie Askew, Violet Askew, Arthur W. Carter, Roy Shipman and Vera Shipman as citizens by blood of the Choctaw Nation, under the provisions of the Act of Congress approved April 26, 1906.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

[illegible] Tams Bixby
Commissioner.

Registered.

Incl. C-105--7-5200 et al.

C-108

7-5200 et al.

COPY

Muskogee, Indian Territory, October 23, 190

Chester Howe,

Washington Loan and Trust Building,

Washington, D. C.

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered October 23, 1906, dismissing the applications and petition for the enrollment of Newt Askew, Nancy M. Askew, Henry K. Askew, William W. Askew, Elizabeth V. Askew, Dallas A. Askew, Roxy C. Askew, Alpha Marie Hefner, Julius Edward Askew, Nancy Ann Hefner, William C. Askew, Mattie Askew, Elsie Askew, Tom Askew, Rebecca Askew, William T. Askew, Thane Askew, Perry Askew, Tommy Askew, Lillie Askew, Gilbert Askew, Lizzie Askew, Ethel Askew, Robert Wiley Shipman, Robert Askew, Mary E. Jackson, Taylor F. Jackson, Alma Jackson, Charley Jackson, Rosees Jackson, Ethel Jackson, Mary C. Brewer, Emma Brewer, Elmer Brewer, Mary B. Brewer, George W. Askew, Sophia Askew, Alice Askew, Martha E. Turner, Sam Askew, Frankie Beatrice Askew, Lee Askew, and John Askew, as citizens by blood of the Choctaw Nation, and the applications and petition for the enrollment of Martha Askew, Bettie Askew, Lena Askew, and Dora Askew as citizens by intermarriage of said nation, and denying the application for the enrollment of Carl Hefner, Perry

C. E. --42.

Q. Askew, Oscar C. Askew, Vernie Askew, Violet Askew, Arthur W. Carter, Roy Shipman and Vera Shipman, as citizens by blood of the Choctaw Nation, under the provisions of the Act of Congress approved April 26, 1906.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED Tams Bixby
Commissioner.

Registered.

Incl. C-105--7-5200 et al.

C-106

7-3200 et al.

COPY.

Muskogee, Indian Territory, October 23,190

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered October 23, 1906, dismissing the applications and petition for the enrollment of Newt Askew, Nancy M. Askew, Emory E. Askew, William H. Askew, Elizabeth V. Askew, Dallas A. Askew, Roxy C. Askew, Alpha Marie Hefner, Julius Edward Askew, Nancy Ann Hefner, William Q. Askew, Mattie Askew, Ellen Askew, Tom Askew, Rebecca Askew, William T. Askew, Thane Askew, Perry Askew, Tenny Askew, Lillie Askew, Gilbert Askew, Lizzie Askew, Ethel Askew, Robert Wiley Shipman, Robert Askew, Mary E. Jackson, Taylor F. Jackson, Ajma Jackson, Charley Jackson, Roscoe Jackson, Ethel Jackson, Mary C. Brewer, Emma Brewer, Elmer Brewer, Mary E. Brewer, George W. Askew, Sophia Askew, Alice Askew, Martha E. Turner, Sam Askew, Frankie Beatrice Askew, Lee Askew and John Askew, as citizens by blood of the Choctaw Nation, and the applications and petition for the enrollment of Martha Askew, Bettie Askew, Lena Askew and Dora Askew as citizens by intermarriage of said nation, and denying the application for the enrollment of Carl Hefner,

M. M. & C. - - #2.

Perry Q. Askew, Oscar C. Askew, Vernie Askew, Violet Askew, Arthur W. Carter, Roy Shipman, and Vera Shipman as citizens by blood of the Cheetaw Nation, under the provisions of the Act of Congress approved April 26, 1906.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED Tams Bixby

Commissioner.

Registered.

Incl. C-105--7-5200 et al.

Copy.

Muskogee, Indian Territory, October 24, 1906.

The Honorable,

The Secretary of the Interior,

Sir:

I have the honor to transmit herewith the record before the Commission to the Five Civilized Tribes and its successor in the matter of the application for the enrollment of Newt Askew, et al., as citizens of the Choctaw Nation, with my decision of October 23, 1906, denying a petition filed with this office by Thomas Norman, attorney at law, Ardmore, Indian Territory, on March 14, 1906, praying for the enrollment of Newt Askew, et al., as citizens of the Choctaw Nation.

This petition was filed under the opinion of the Assistant Attorney General for the Department of the Interior of December 8, 1905 (I.T.D. 3693-1905), in the Leula West case.

The majority of the persons named in the petition submitted by Mr. Norman were denied citizenship in the Choctaw Nation by decrees of the Choctaw and Chickasaw Citizenship Court.

While it is not claimed that the petitioners in question were ever recognized and enrolled by the tribal authorities as citizens of the Choctaw Nation, it is insisted that they are entitled to enrollment by reason of the fact that certain of their co-relatives

have been duly enrolled as citizens of the Chactaw Nation.

I also enclose for the consideration of the Department in connection with the contention of the petitioners, a brief filed with this office on October 1, 1906, by Thomas Ferguson, Gruce, Crume & Bleakmore and Chester Howe, attorneys for the petitioners.

This case was the subject of my report of January 15, 1906, to the Department and of Departmental letter of March 12, 1906, (I.T. D 4080-1906).

There is also enclosed herewith the original petition directed to the President of the United States and the Secretary of the Interior, which was originally filed with the Department June 20, 1905. The case was also the subject of Departmental letter of October 15, 1906 (I.T.D. 12775-1906), enclosing for report a letter of Chester Howe, attorney at law, Washington, D. C., dated October 10, 1906, and addressed to the Department, requesting that the Commissioner to the Five Civilized Tribes be directed to pass upon the case at the earliest practicable date, to the end that a final decision may be secured upon the questions raised.

I have the honor to further report that the principal petitioners have been advised of the action taken by me on October 23, 1906, and that their attorneys and the attorneys for the Choctaw and Chickasaw Nations have been furnished with a copy of my decision of that date.

Respectfully,

Signed Tams Bixby

Commissioner.

Through the Commissioner of Indian Affairs.
OP 24-5

Muskogee, Indian Territory, March 6, 1902.

Samuel Askew,

Knox, Indian Territory.

Dear Sir:

The Commission is in receipt of the application for enrollment as a citizen of the Choctaw nation of Lee Askew, the infant son of Samuel and Lena Askew, born January 21, 1901.

Before the Commission can accept this application in the matter of the application for the enrollment of your child, Lee Askew, as a citizen of the Choctaw Nation, it will be necessary that we be supplied with evidence of your marriage to your wife, Lena Askew.

The Commission notes from the records in this case that you were married under a United States license issued by the Clerk of the Court at Ardmore, Indian Territory, August 16, 1898. It will be necessary that the Commission be supplied with either the original or a certified copy of such marriage license and certificate.

Upon receipt of the evidence of your marriage to your wife, Lena Askew, and the return of the application for the enrollment of your son, Lee Askew, the matter will receive further consideration.

The application is returned to you herewith.

Yours truly,

7-3214.

Acting Chairman.

Encl. 7-#2.

Muskogee, Indian Territory, April 2nd, 1901

Mr. Sam Askew,

Kusa, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Leo Askew, the infant son of Sam and Lenar Askew, born January 21, 1901, and the same being in proper form has been filed with the records of the Commission, and the child listed for enrollment as a citizen of the Choctaw Nation.

Receipt is also acknowledged of the marriage license and certificate between Sam Askew and Lenar Lancaster, and the same has been duly filed with the records of this Commission.

Yours truly,

Acting Chairman.

7-5214

Muskogee, Indian Territory, October 2, 1902.

Mr. Sam Askew,
Knox, Indian Territory.
Dear Sir:

Receipt is hereby acknowledged of your letter of the 30th ultimo, requesting to be advised whether your name appeared upon the final rolls of the Choctaw Nation.

You are informed that the records of this office show that Sam Askew, twenty-four years of age, and his wife Lena, fifteen years of age, of Ada, Indian Territory, were listed for enrollment September 23, 1898, having been admitted to citizenship in the Choctaw Nation by the United States Court for the Southern District of Indian Territory, at Ardmore, I. T., December 21, 1897, in Court Case No. 71.

On May 24, 1900, Frankie Beatrice, the infant daughter of Sam and Lena Askew, was listed for enrollment as a citizen of the Choctaw Nation upon presentation of proper affidavit as to birth.

On April 2, 1901, Leo Askew, the infant son of Sam and Lena Askew, was listed for enrollment as a citizen of the Choctaw Nation upon presentation of proper affidavit as to the birth of the child.

You are informed that the final rolls of the citizens of the

[redacted]

[redacted] has not yet been perfected.

Yours truly,

Acting Chairman.

7-5214

M. S. R. 6063
Choctaw 5814

Muskogee, Indian Territory, February 24, 1904.

J. M. Perry,

Ada, Indian Territory,.

Dear Sir:

Receipt is hereby acknowledged of your letter of February 9 asking the status of the enrollment of William Calvin Neal, his daughter, Sallie B. McNelly and Samuel Askew.

In reply to your letter you are advised that it appears from our records that Sam Askew was admitted to citizenship in the Choctaw Nation by a judgment of the United States Court for the Southern District of the Indian Territory, rendered at Ardmore, December 21, 1897, in court case, citizenship docket, number 71.

It further appears from our records that William C. Neal was an applicant to this Commission for the identification of himself and his son, Louis C. Neal, as Mississippi Choctaws, which application has been refused by the Commission and the decision affirmed by the Secretary of the Interior.

It does not appear from our records that Sallie B. McNelly is an applicant to this Commission either for enrollment as a citizen of the Choctaw Nation or for identification as a Mississippi Choctaw under that name.

Respectfully,

Commissioner in Charge.

REFER IN REPLY TO THE FOLLOWING:

T-6214

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, April 22, 1907.

Sam Askew,

Knox, Indian Territory.

Dear Sir:

You are hereby advised that on March 4, 1907, the Secretary of the Interior affirmed the decision of this office of October 23, 1906, dismissing the applications and petition for the enrollment of yourself, Frankie Beatrice Askew and Lee Askew, as citizens by blood, and Lena Askew as a citizen by intermarriage of the Choctaw Nation.

Respectfully,

Commissioner.

COMMISSIONERS:
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BREECKINRIDGE.

WM. O. BEALL,
Secretary.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING:
Choctaw 5214

Muskogee, Indian Territory, November 12, 1904.

Lena Askew,

Knox, Indian Territory,

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated November 12, 1904, dismissing the application for the enrollment of yourself as a citizen by intermarriage, and your minor children, Frankie Beatrice Askew and Lee Askew, as citizens by blood of the Choctaw Nation.

Respectfully,

Chairman.

Registered.

Incl. 7-5214.

Choc 5215 H.J. Sorrells

5215

Court Card C 260

H.J.Sorrells.

H.J.Sorrells says:

I intermarried with an Indian citizen. She is dead. I have since remarried, to a white woman.

I have lived in the Chickasaw and Choctaw nations since 1861. I was married to my India n wife in 1861.

Ardmore, Sept. 23 1898.

H.J.Sorrells

enrolled.

Choc 5216 G.T. Highright

5216

V

Choctaw Court Card C. 261

Application of G.T.Hignight and others.

Memo

G.T.Hignight says:

I have been in the Chickasaw nation with the exception of 2 years. I went up there in 1891, and have been living herev ever since.

Ardmore, Sept. 23 1898.

G.T.Hignight
R.Lettie M. Hignight
George W. Hignight

enrolled.

7-8816

Muskogee, Indian Territory, December 2, 1903.

G. T. Hignight,

Rush Springs, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of November 23, in which you ask the status of the enrollment of yourself and your children.

In reply to your letter you are informed that it appears from our records that G. T. Hignight and his children, R. Letti M. Hignight and George Hignight, have been admitted to citizenship in the Choctaw Nation by a judgment of the United States Court for the Southern District of the Indian Territory, at Ardmore, March 10, 1898, in Court Case (Citizenship Docket) number 144.

Under the provisions of the Act of Congress of July 1, 1902, which was ratified by the citizens of the Choctaw and Chickasaw Nations on September 25, 1902, the Commission is prohibited from enrolling or making any allotment of land in the Choctaw and Chickasaw Nations to any person whose citizenship is dependent upon judgments of the United States Courts in Indian Territory, until the final determination of their claim. If your case has been appealed

to the Choctaw-Chickasaw Citizenship Court you should address the Clerk of that Court at South McAlester, Indian Territory, for information relative thereto.

Respectfully,

Chairman.

Choctaw 5216
M.C.R. 120

Muskogee, Indian Territory, December 22,1903.

Willie Walter William,

Bush Springs, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of December 16, asking if G. T. Hignight or Mollie Crittendon are on the rolls and entitled to allotment.

In reply to your letter you are advised that it does not appear from our records that you are an applicant to this Commission for enrollment in the Choctaw or Chickasaw nation or for identification as a Mississippi Choctaw under this name.

You are informed, however, that it appears from our records that G. T. Hignight was admitted to citizenship in the Choctaw nation by a judgment of the United States Court for the Southern District of the Indian Territory, rendered at Ardmore, March 10, 1898, in court case, citizenship docket, number 144. Under the provisions of the act of Congress approved July 1, 1902, the Commission is prohibited from enrolling or making any allotment of the lands of the Choctaw and Chickasaw Nations to persons whose rights are dependent upon judgments of the United States Courts in Indian Territory until their right to such citizenship has been finally determined.

W W W 2

It further appears from our records that Mollie Crittenden was an applicant to this Commission for the identification of herself and her children as Mississippi Choctaws and that on February 11,1903 the Commission rendered its decision refusing said application, which decision was affirmed by the Secretary of the Interior on July 16, 1903. Mollie Crittenden and her children above referred to are not, therefore, in any manner, entitled to possessory rights of the tribal property of the Choctaw and Chickasaw Nations.

Respectfully,

Chairman.

Choc 5217 William M. Southward

Nos 2-3-4 Dismissed 9-10-04

5017

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

----o----

Record in the matter of the application for enrollment as citizens by blood of the Choctaw Nation of:

EFFIE S. SOUTHWARD, et al., 7-5217.

----o----

Chickasaw Court Card C. 262

In the matter of William M. Southward and others.

William M. Southward says:

Effie S. was born Feb. 28th 1897 . I have been living in the Chickasaw Nation about 5 years continuously.

Ardmore, Sept. 23 1898.

William M. Southward
Effie S. Southward

enrolled.

No. 1

Marriage License.

W. M. Southwood

AND

Miss Mahala Jones

Issued the 19th day of

May 1896

James Hamilton

Clerk County Court Kerr Co.

By J. T. Moore Deputy

Filed the 17th day of

June 1896

J. M. Hamilton

Clerk County Court Kerr Co.

By _____ Deputy

Recorded in Book D Page 300 of Marriage Records

0282

Marriage License.

STATE OF TEXAS

To any Regularly Licensed or Ordained Minister of the Gospel, Jewish Rabbi, Judge 87th District Court, County Court, or any Justice of the Peace in and for Navarro County, Greeting:

You are hereby Authorized to Solemnize the

RITES OF MATRIMONY

Between Mr. N. M. Southward and Miss Amanda Jones

and make due return to the Clerk of the County Court of said County within sixty days thereafter, certifying your action under this license.

Witness my official signature and seal of office at office in Corsicana the 19th day of May 1876

J. D. Daniel Clerk of County Court Navarro County

by J. T. Moore Deputy

I, J. D. Kelley, County Judge do certify that on the 20th day of May 1876 I united in the Holy Bonds of Matrimony N. M. Southward and Miss Amanda Jones the parties above named.

Witness my hand this 20th day of May 1876

J. D. Kelley

County Judge

Returned and filed for record the 22nd day of May 1876

and recorded the 22nd day of May 1876

J. T. Moore Deputy J. D. Daniel Clerk County Court

A 109 CLASS 4. Clarke & Courts, Stationers, Printers & Lithographers, Galveston

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Susan Southward, born on the 30 day of Oct., 1898.
Name of father: Wm M. Southward, a citizen of the Choctaw Nation.
Name of mother: Mahala Southward, a citizen of the Choctaw Nation.
Post Office: Idabel, I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District.

I, Mahala Southward, on oath, state that I am 26 years of age and a citizen, by intermarriage, of the Choctaw Nation; that I am the lawful wife of Wm M. Southward who is a citizen, by blood, of the Choctaw Nation; that a female child was born to me on the 30th day of Oct, 1898; that said child has been named Susan Southward and is now living.

Mahala Southward

Subscribed and sworn to before me this 21st day of Sept., 1899.

J. W. Cherryhomes,
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

The State of Texas
~~UNITED STATES OF AMERICA,~~
~~INDIAN TERRITORY,~~
County of Bandera ~~District.~~

I, Konstantine Adamietz, a midwife, on oath, state that I attended on Mrs. Mahala Southwood, wife of Wm M. Southward on the 30 day of Oct., 1898; that there was born to her on said date a female child; that said child is now living and is said to have been named Susan Southwood.

Konstantine Adamietz.

Subscribed and sworn to before me this 25th day of August, 1899.

F. M. Dorsey
County Judge ~~Notary Public.~~
Bandera County Texas

12456

CHOCTAW. *IN RE*

Application for Enrollment of

INFANT CHILD

Edith Southward

as a citizen of the

Choctaw Nation.

Approved, AUG 27 1901 1900

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
AUG 27 1901

ACTING CHAIRMAN.

CHOCTAW.
5217

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of Edith (Here insert name of child), born on the 24 day of July, 1901

Name of Father: William Southward, a citizen of the Choctaw Nation.

Name of Mother: Mahalley, a citizen of the Choctaw Nation.

Postoffice, Nashoba I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, }
INDIAN TERRITORY. }
Southern District. }

I, Mahaley Southward, on oath state that I am 28 years of age and a citizen, by Marriage, of the Choctaw Nation; that I am the lawful wife of William Southward, who is a citizen, by Blood, of the Choctaw Nation: that a Female (male or female) child was born to me on the 24 day of July, 1901: that said child has been named Edith, and is now living.

Mahaley Southward

WITNESSES TO MARK:
(Must be Two Witnesses) { Martha Jones
[illegible]

Subscribed and sworn to before me this 19 *day of* August 1901

B. Ward
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, }
INDIAN TERRITORY. }
Southern District. }

I, Martha Jackson, a Midwife, on oath state that I attended on Mrs. Mahaley Southward, wife of William Southward on the 24 day of July, 1901: that there was born to her on said date a Female (male or female) child: that said child is now living and is said to have been named Edith

Martha Jackson

WITNESSES TO MARK:
(Must be Two Witnesses) { Martha Jones
[illegible]

Subscribed and sworn to before me this 19 *day of* Aug 1901

B. Ward
NOTARY PUBLIC

DDD

7-5217.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

----o----

In the matter of the application for the enrollment of Effie S. Southward, Susan Southward and Edith Southward as citizens by blood of the Choctaw Nation.

--: D E C I S I O N :--

The applicants, Effie S. Southward, Susan Southward and Edith Southward, claim their right to enrollment as citizens by blood of the Choctaw Nation through their father William M. Southward. The right of the applicants' father, William M. Southward, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, June 29, 1904, in case No. 31 upon the Tishomingo docket of said court, it is hereby ordered that the application of Effie S. Southward, Susan Southward and Edith Southward for enrollment as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Chairman.

Muskogee, Indian Territory,

SEP 10 1904

Choctaw 3627

COPY!

Muskogee, Indian Territory, September 12, 1904.

William M. Southward,

Naples, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated September 10, 1904, dismissing the application for the enrollment of Effie S. Southward, Susan Southward and Edith Southward as citizens by blood of the Choctaw Nation.

Respectfully,

Tams Bixby.

Chairman.

Registered.

Incl. 7- 3627.

Choctaw 5817

COPY.

Muskogee, Indian Territory, September 15, 1904.

Algur Helton,
Attorney at Law,
Chickasha, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated September 10, 1904, dismissing the application for the enrollment of Effie E. Southward, Ruben Southward and Edith Southward as citizens by blood of the Choctaw Nation.

Respectfully,

SIGNED

Tams Bixby.

Chairman.

Registered.

Incl. 9- 5817.

Choctaw 3817

COPY.

Muskogee, Indian Territory, September 12, 1904.

Mansfield, McMurray & Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission, dated September 10, 1904, dismissing the application for the enrollment of Effie S. Southward, Susan Southward and Edith Southward as citizens by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

Tams Bixby.

Chairman.

Incl. 7- 3817.

Muskogee, Indian Territory, January 14, 1904.

R. L. Shepard,

Chickasha, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of the 13th instant in which you desire to be informed as to the status of Mr. John Johnson's claim for citizenship as a member of the Chestaw tribe of Indians. You state that he bases his claim on the citizenship of Joe Johnson and that his post-office address at the time of his enrollment was Naples, Indian Territory. You also desire to be informed if W. M. Southward is enrolled as a citizen of the Choctaw Nation.

You are informed that the only John Johnston appearing upon the records of this Commission as listed for enrollment as a citizen of the Choctaw Nation, is a boy 11 years of age, of Sawanna, Indian Territory, the son of J. S. and Mary J. Johnson, both deceased. If this is not the party of whom you inquire, you are requested to state his full name, his age, the time and place he appeared before the Commission as an applicant, the names of other members of his family and any other information that may lead to his identification. Upon receipt of this information the matter will be given further consideration.

As to the other party of whom you inquire, you are informed that the records of this Commission show that William M.

[redacted]

[redacted] Texas trial.

[redacted]

7-4732
7-5217

Muskogee, Indian Territory, August 27, 1901.

Mr. Alger Melton,
Attorney at Law,
Chickasha, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 23rd instant enclosing the application for enrollment as a citizen of the Choctaw Nation of Edith Southward, the infant daughter of William and Mahala Southward born July 24, 1901 and the same being in proper form has been duly filed with the records of the Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

7-5217

Commissioner in charge.

Choc 5218 Spencer Morris, JR

5218

No. 263

Application of Spencer Morris, Jr.

G .W.Morris says:

Spencer Morris was admitted as "Spencer W.M^{o}ris Jr."

He is my brother . I have not heard of him for 7 or eight years. I think if he was in the Chickasaw Nation I would know it. He used to live here.

Ardmore, Sept. 23 1898.

Spencer Morris Jr.

enrolled.

Choc 5219 G.W. Morris

#7-8 Dismissed 9-10-04

5219

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

----o----

Record in the matter of the application for enrollment as citizens by blood of the Choctaw Nation of:

WILLIAM W. MORRIS, et al., 7-5219.

----o----

Choctaw Court Card C. 264

In the matter of the application of G.W.Morris and others.

G.W .M orris says

William W. was born January 13th 1898.

I have been living in the Territoey since 1889, and have lived here continuously since that time.

G.W.Morris
Wilmoth Morris
Nora L. Morris
Mollie Morris
Cora M. Morris
Kansas V. Morris
William W. Morris

Ardmore, Sept. 28 1898.

enrolled.

4

5

432

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
DEC 21 1901

Acting Chairman

Certificate of Record of Marriage

UNITED STATES OF AMERICA,
The Indian Territory,
THIRD JUDICIAL DIVISION. } SCT.

I Wm NELSON

Clerk of the United States Court in the Territory and Division aforsaid: Do hereby certify that the license for, and certificate of the Marriage of, Mr. George W Morris and Miss A E Gill

were filed in my office in said Territory and Division the 6 day of June A.D. 1892 and duly recorded in Book C of marriage Records page 482

Witness my hand and seal of said court this 6 day of June A.D. 1892.

Wm Nelson Clerk.

By A. S. Matthews Deputy.

MARRIAGE LICENSE.

United States of America,
THE INDIAN TERRITORY,
THIRD JUDICIAL DIVISION.

88.

To Any Person Authorized by Law to Solemnize Marriage—Greeting:

YOU ARE HEREBY COMMANDED to solemnize the Rite and publish the Banns of Matrimony between Mr George W Morris of Land in the Indian Territory, aged thirty four years, and Miss M. E. Lee of Hummind in the Indian Territory, aged eighteen years, according to law and do you officially sign and return this License to the parties thereunto named

WITNESS my hand and Official Seal this 1st day of May A. D., 1892

W. Wilson
CLERK OF THE U. S COURT.

By L. T. Matthews DEPUTY.

CERTIFICATE OF MARRIAGE.

United States of America.
THE INDIAN TERRITORY.
THIRD JUDICIAL DIVISION.

I Robt Shirley
a Ordained Minister

DO HEREBY CERTIFY, that on the the 1st day of June A. D., 1892 I did duly and according to law, as commanded in the foregoing License solemnize the Rite and publish the Banns of Matrimony between the parties therein named.

WITNESS my hand this 1st day of June A. D., 1892

My credentials are recorded in the Office of the Clerk of the United States Court, Indian Territory, Ft. Smith Division, Book A Page 160

Rev. Robt. Shirley
a Ordained Minister

NOTE—This License and Certificate of Marriage must be returned to the Office of the Clerk of the United States Court in the Indian Territory, from whence it was issued, within sixty days from the date thereof, or the party to whom the License was issued will be liable in the amount of One Hundred Dollars $100

CHOCTAW.

IN RE

Application for Enrollment of

INFANT CHILD

Lulu Mamie Morris

as a citizen of

Choctaw Nation.

Approved DEC 21 1901 190

T. R. Breckinridge.

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
DEC 21 1901

Acting Chairman

CHOCTAW.

5219.

BIRTH AFFIDAVIT. 20

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,

of Lula Mamie, born on the 2nd day of November, 1901

(Here insert name of child.)

Name of Father: G. W. Morris a citizen of the Cherokee Nation.

Name of Mother: Nancy Eleanore a citizen of the United States Nation.

Post-office Dolberg, Ind Ter.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY
Southern District.

I, Nancy E. Morris, on oath state that I am 28 years of age and a citizen, by ——, of the United States Nation; that I am the lawful wife of G. W. Morris, who is a citizen, by birth, of the Cherokee Nation; that a female (male or female) child was born to me on 2nd day of November 1901 that said child has been named Lula Mamie, and is now living.

N E Morris

WITNESSES TO MARK:
(Must be Two Witnesses.)
Katy Westbrook
T. H. Cook

Subscribed and sworn to before me this 27th *day of* November 1901.

E. W. Westbrook NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY
Southern District,

I, F A Coleman, a midwife, on oath state that I attended on Mrs. N. E. Morris, wife of G. W. Morris on the 2nd day of November, 1901; that there was born to her on said date a female (male or female) child; that said child is now living and is said to have been named Lula Mamie

F A Coleman

WITNESSES TO MARK:
(Must be Two Witnesses.)
Katy Westbrook
T. H. Cook

Subscribed and sworn to before me this 27 *day of* November 1901.

E. W. Westbrook NOTARY PUBLIC

D6D

7-5219.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

----o----

In the matter of the application for the enrollment of William W. Morris and Lula Mamie Morris as citizens by blood of the Choctaw Nation.

--: D E C I S I O N :--

The applicants, William W. Morris and Lula Mamie Morris, claim their right to enrollment as citizens by blood of the Choctaw Nation through their father G. W. Morris. The right of the applicants' father, G. W. Morris, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, June 29, 1904, in case No. 31 upon the Tishomingo docket of said court, it is hereby ordered that the application of William W. Morris and Lula Mamie Morris for enrollment as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Chairman.

Muskogee, Indian Territory,

SEP 10 1904

Choctaw 2819

COPY.

Muskogee, Indian Territory, September 12, 1904.

C. W. Morris,

Dolberg, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated September 10, 1904, dismissing the application for the enrollment of William W. Morris and Lula Mamie Morris as citizens by blood of the Choctaw Nation.

Respectfully,

Tams Bixby.

Chairman.

Registered.

Inel. 7-2819.

Choctaw 3219

COPY.

Muskogee, Indian Territory, September 12, 1904.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission, dated September 10, 1904, dismissing the application for the enrollment of William W. Morris and Lula Mamie Morris as citizens by blood of the Choctaw Nation.

Respectfully,

Tams Bixby.

Chairman.

Incl. 7-6219.

Muskogee, Indian Territory, December 2, 1901.

G. W. Morris,

Dolberg, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Lula Mamie Morris, the infant daughter of G. W. and N. [redacted] Morris, born November 2, 1901 and the same is returned to you herewith for the reason that the mother of this child, not being listed for enrollment as a citizen by intermarriage of the Choctaw Nation, it is necessary that you supply either the original or certified copy of the marriage license and certificate between yourself and Nancy E. Morris before the matter of the application for the enrollment of your child can receive further consideration.

Such evidence of marriage will also be necessary in the matter of the enrollment of your child, William W. Morris.

Upon the return of the application submitted by you, together with evidence of marriage to your wife, the matter will receive proper consideration.

Yours truly,

7-5219

Enc Y-79

Muskogee, Indian Territory, December 21, 1901.

G. W. Morris,

Dolberg, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the marriage license and certificate between George W. Morris and Miss N. E. Gill and the same has been duly filed with the records of this office.

Receipt is also acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Lula Mamie Morris, the infant daughter of G. W. and Nancy E. Morris, born November 2, 1901, and the same being in proper form has been duly filed with the records of this office and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Commissioner in Charge.

7-8219

7-5219

Muskogee, Indian Territory, October 29, 1904.

C. W. Morris,

Hickory, Indian Territory.

Dear Sir:-

Receipt is hereby acknowledged of your letter of October 14, 1904, addressed to the Secretary of the Interior and by him referred to this Commission for consideration and appropriate action. Therein you ask relative to your holdings as a Choctaw claimant and state that you are one of the "Robert Goins" heirs. You also state that you have been informed that your land has been filed on and you wish to know how to proceed to protect your improvements.

In reply to your letter you are informed that C. W. Morris and his family have been denied citizenship in the Choctaw Nation by the Choctaw and Chickasaw citizenship court and the Commission is therefore without further jurisdiction in this matter.

The matter disposing of the improvements on lands claimed by persons whose citizenship in the Choctaw and Chickasaw Nations have been denied by the Choctaw and Chickasaw citizenship court does not come within the jurisdiction of the Commission, and it is therefore impracticable to give you any information on the subject.

Respectfully,

Chairman.

4008

COMMISSIONERS
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

WM. O. BEALL,
Secretary

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES

REFER IN REPLY TO THE FOLLOWING
Choctaw 3813

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES. Muskogee, Indian Territory, September 12, 1904.

G. W. Morris,

Dolberg, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated September 10, 1904, dismissing the application for the enrollment of William W. Morris and Lula Mamie Morris as citizens by blood of the Choctaw Nation.

Respectfully,

Chairman.

Registered.

Incl. 7-5219.

Choc 5220 Jerry M. Morris

5220

Choctaw Court Card C. 265

In the application of Jerry M. Morris and others.

For

Jerry M. Morris says:

I have been living in the Territory with my family continuously for about 18 years.

Ardmore, Sept. 28 1898.

Jerry M. Morris
Ebenezer S . Morris
Joel W.Morris
Gertrude E. Morris
Jessie C. Morris
Augustus B. Morris

enrolled.

Certificate of Record of Marriage.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
SOUTHERN DISTRICT. } *ss.*

I, C. M. CAMPBELL, Clerk of the United States Court in the Territory and District aforesaid, do hereby certify that the License for, and Certificate of Marriage of,

MR. E A Saxton

AND

MS Gertie E. Morris

were filed in my office in said Territory and District the 10 day of June A. D. 1901, and duly recorded in Book E of Marriage Record, Page 414

WITNESS my hand and Seal of said Court, at Ardmore, this 10 day of June A. D. 1901

C M Campbell

Clerk

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
NOV 19 1901

ACTING CHAIRMAN

☞ Return this License to the United States Clerk at Ardmore, that it may be recorded, when it will be mailed to the proper address.

Ardmoreite Steam Print

INDIAN TERRITORY, Southern District } I do hereby certify that the within and foregoing is a true, perfect and literal copy of the original instrument filed in my office on the 10 day of June 1901 at — o'clock — M.

Witness my hand and official seal at Ardmore, this 14 day of October 1901.

C M Campbell

CLERK U. S. COURT SO. DIST. IND. TY.

MARRIAGE LICENSE.

[redacted]

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
SOUTHERN DISTRICT. } *ss:*

To Any Person Authorized by Law to Solemnize Marriage—Greeting:

You are hereby commanded *to solemnize the Rite and publish the Banns of Matrimony between Mr.* C A Laxton *of* Ada *in the Indian Territory, aged* 26 *years, and Miss* Gertie E. Morris *of* Center *in the Indian Territory, aged* 21 *years, according to law, and do you officially sign and return this License to the parties therein named.*

Witness *my hand and official seal, this* 4th *day of* May *, A. D. 190*1

Seal

C M Campbell
Clerk of the United States Court.

Deputy.

Certificate of Marriage.

United States of America,
Indian Territory,
Southern District. } *ss:*

I, J M Isham
a Gospel Minister

do hereby certify, that on the 26 day of May , A. D. 190 1, I did duly and according to law, as commanded in the foregoing License, solemnize the Rite and publish the Banns of Matrimony between the parties therein named.

Witness my hand, this 26 day of May , A. D. 190 1

My credentials are recorded in the office of the Clerk of the United States Court, Indian Territory, Southern District, at Ardmore, Book A , Page 159.

J M Isham
a Gospel Minister

NOTE—The person officiating should fill in the spaces for book and page and sign here.

NOTE (a)—This License and Certificate of Marriage must be returned to the office of the Clerk of the United States Court in the Indian Territory, at Ardmore, within sixty days from the date hereof, or the party to whom the License was issued will be liable in the amount of One Hundred Dollars ($100.)

NOTE (b)—No person is authorized to perform the Marriage Ceremony in the Southern District, unless the proper credentials have first been recorded in the Clerk's office.

BIRTH AFFIDAVIT. 217

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the ~~Choctaw~~ Nation,

of Vida L Loxton (Here insert name of child.), born on the 10" day of January, 1905

Name of Father: C A Loxton, a citizen of the ~~Choctaw~~ U S Nation.

Name of Mother: Gertrude E Loxton, a citizen of the ~~U S~~ Choctaw Nation.

Postoffice Non, I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY,
Central DISTRICT.

I, Gertrude E Loxton, on oath state that I am 25 years of age and a citizen by Blood, of the ~~U S~~ Choctaw Nation; that I am the lawful wife of C A Loxton, who is a citizen, by ~~Blood~~, of the ~~U S~~ Nation; that a female (Male or Female.) child was born to me on 10" day of January, 1905; that said child has been named Vida L Loxton, and was living March 4, 1905.

Gertrude E Loxton

WITNESSES TO MARK:

(Must be Two Witnesses.) X
X

Subscribed and sworn to before me this 2nd day of April, 1905

C E McClain
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN OR MID-WIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY,
Southern DISTRICT.

I, Chas W. McMillan, a physician, on oath state that I attended on Mrs. Gertrude E Loxton, wife of C A Loxton on the 10" day of January, 1905; that there was born to her on said date a female (Male or Female.) child; that said child was living March 4, 1905, and is said to have been named Vida L Loxton

Chas W McMillan

WITNESSES TO MARK:

(Must be Two Witnesses.) J K McKinney
Geo B Stinson

Subscribed and sworn to before me this 3 day of April, 1905

J H Shaw
Notary Public.

Muskogee, Indian Territory, August 17, 1901.

Mr. J. D. Grigsby,
Attorney at Law,
Ada, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 12th instant in which you request to be advised as to the necessary steps to be taken to have the name of Gertie E. Morris changed to Gertie E. Laxton and state that Miss Morris was married some months ago to Mr C. A. Laxton, and desires to have her name changed on the records of the Commission.

You are informed that upon receipt of either the original marriage license and certificate or a certified copy thereof, of the marriage between Mr. C. A. Laxton and Miss Gertie E. Morris, the matter will receive due consideration.

Yours truly,

7-8220

Commissioner in charge.

Muskogee, Indian Territory, September 16, 1901.

Mr. J. E. Grigsby,
Attorney at Law,
Ada, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 12th instant requesting that the name of Gertie E. Morris be changed upon the records of this office to Gertie E. Laxton, and you request to be advised what steps are necessary to take to have this done.

You are informed that upon receipt of legal evidence of the marriage of the person named which must be furnished this office as authority for changing the name of the person referred to from her maiden name to that of her married name, your request will receive further consideration.

Yours truly,

7-5220

Muskogee, Indian Territory, November 19, 1901.

J. E. Grigsby,

Ada, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 12th instant enclosing certified copy of the marriage license and certificate between C. A. Laxton and Gertie E. Morris.

The evidence of marriage enclosed in your letter has been duly filed with the records of this office and the name of Gertrude E. Morris changed upon our records to her present married name of Gertrude E. Laxton.

Yours truly,

Acting Chairman.

7-5220

Choctaw 5220

Muskogee, Indian Territory, June 11, 1902.

B. C. King,

Roff, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 11th instant, in which you desire to be informed if Jesse Coleman Morris is on the Indian roll.

You are advised that on September 23, 1898, Jessie C. Morris, 14 years of age, of Purcell, Indian Territory, was listed for enrollment by this Commission as a citizen of the Choctaw Nation having been admitted to such citizenship by judgment of the United StatesCourt for the Southern District of the Indian Territory, rendered at Ardmore, Indian Territory, on December 21, 1897 in Choctaw citizenship case No. 127.

Yours truly,

Commissioner in Charge.

Choctaw 6280

Muskogee, Indian Territory, September 3, 1902.

J. R. Rebels,

Ada, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of August 26, 1902, in which you desire to be informed of the status of the citizenship of J. M. Morris who claims to be enrolled as a Choctaw.

In reply to your letter you are informed that it appears from the records of this office that on September 23, 1898, Jerry M. Morris, 47 years of age, of Purcell, Indian Territory , was listed for enrollment by this Commission as a citizen of the Choctaw Nation, having been admitted to such citizenship by a judgment of the United States Court for the Southern District of the Indian Territory, rendered at Ardmore, Indian Territory, December 21, 1897, in Choctaw citizenship case No. 127.

Yours truly,

Acting Chairman.

Choctaw 8220

Muskogee, Indian Territory, November 26, 1902.

J. W. Hemer,

Atoka, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 22nd instant, in which you desire to be advised if J. M. Morris is enrolled.

In reply to your letter you are advised that it appears from our records that on September 23, 1898, Jerry M. Morris, 47 years of age, of Purcell, Indian Territory, was listed for enrollment by this Commission as a citizen of the Choctaw Nation, having been admitted to such citizenship by a judgment of the United States Court for the Southern District of the Indian Territory, rendered at Ardmore, Indian Territory on December 21, 1897 in Choctaw citizenship case No. 127.

Respectfully,

Acting Chairman.

Muskogee, Indian Territory, April 24, 1903.

C. A. Laxton,

Non, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the affidavits of Gertrude E. Laxton and Charles W. McMillan, to the birth of Vida S. Laxton, daughter of C. A. and Gertrude E. Laxton, January 10, 1904.

It is stated in the affidavit of the mother that she is a citizen by blood of the Choctaw Nation. If this is correct you are requested to state the name under which she was enrolled, the names of her parents, and if she has selected an allotment of the lands of the Choctaw and Chickasaw Nations please give her roll number as it appears upon her allotment certificate.

Respectfully,

Chairman.

CORRECTION

THIS DOCUMENT HAS BEEN REPHOTOGRAPHED TO ASSURE LEGIBILITY

Muskogee, Indian Territory, April 24, 1908.

C. A. Laxton,

Non, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the affidavits of Gertrude E. Laxton and Charles W. McMillan, to the birth of Vida S. Laxton, daughter of C. A. and Gertrude E. Laxton, January 10, 1904.

It is stated in the affidavit of the mother that she is a citizen by blood of the Choctaw Nation. If this is correct you are requested to state the name under which she was enrolled, the names of her parents, and if she has selected an allotment of the lands of the Choctaw and Chickasaw Nations please give her roll number as it appears upon her allotment certificate.

Respectfully,

Chairman.

7-2239.

Muskogee, Indian Territory, June 3, 1905.

C. A. Laxton,

Wen, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the affidavits of Gertrude E. Laxton and Charles W. McMillan to the birth of Vida S. Laxton, daughter of C. A. and Gertrude E. Laxton, January 10, 1904.

It appears from our records that you are a noncitizen and that your wife, Gertrude E. Laxton, was on June 29, 1904, denied citizenship in the Choctaw Nation by the Choctaw and Chickasaw Citizenship Court.

As the Commission was authorized by the act of Congress approved March 3, 1905, to receive applications for the enrollment of children born to citizens by blood of the Choctaw and Chickasaw Nations whose enrollment had, prior to that date, been approved by the Secretary of the Interior, you will see that the Commission is without authority to enroll your child.

Respectfully,

Commissioner in Charge.

Choc 5221 Amanda Dorn

2-3-4 Dismissed 9-10-04

5221

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

----o- --

Record in the matter of the application for enrollment as citizens by blood of the Choctaw Nation of:

ANDREW J. DORN, JR., 7-5221.

----o----

CHOCTAW, 20

IN RE

Application for Enrollment of

INFANT CHILD

Fanny A. Rose,

as a citizen of the

Choctaw Nation.

Approved, AUG 22 1900 190

Commissioner.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
AUG 22 1900

ACTING CHAIRMAN.

CHOCTAW.
5221.

Department of the Interior.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation.

of Tommy O. Dorr, born on the 15th day of September, 1896.
(Here insert name of child.)

Name of Father: T. J. Dorr, a citizen of the United States.

Name of Mother: Amanda Dorr, a citizen of the Choctaw Nation.

Postoffice, Keller, Ind. Ter.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, }
~~INDIAN TERRITORY.~~ }
Southern District. }

I, Amanda Dorr, on oath state that I am 34 years of age and a citizen, by blood, of the Choctaw Nation; that I am the lawful wife of T. J. Dorr, who is a citizen, ~~by~~ of the United States; that a female (male or female) child was born to me on the 15th day of September, 1896; that said child has been named Tommy O. Dorr, and is now living.

WITNESSES TO MARK:

(Must be Two Witnesses.) { .....

Amanda Dorr

Subscribed and sworn to before me this 2nd *day of* August 1900

T. H. Rainer
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, }
~~INDIAN TERRITORY.~~ }
Southern District. }

I, Evaline Paddleo, a midwife, on oath state that I attended on Mrs. Amanda Dorr, wife of T. J. Dorr, on the 15th day of September, 1896, that there was born to her on said date a female (male or female) child; that said child is now living and is said to have been named Tommy O. Dorr.

WITNESSES TO MARK

(Must be Two Witnesses.) { R. J. Eskew
R. J. James.

Evaline her + Paddleo
mark

Subscribed and sworn to before me this 2nd *day of* August 1900

T. H. Rainer
NOTARY PUBLIC.

CHOCTAW. 20

IN RE

Application for Enrollment of

INFANT CHILD

Robert A. Crow

as a citizen of the

Choctaw Nation.

Approved, AUG 22 1900 190

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
AUG 22 1900

ACTING CHAIRMAN.

CHOCTAW.

1221

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Robert Abercrombie Dorr (Here insert name of child) born on the 3rd day of June, 1900
Name of Father: T. J. Dorr, a citizen of the United States Nation.
Name of Mother: Amanda Dorr, a citizen of the Choctaw Nation.
Postoffice, Keller I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, }
INDIAN TERRITORY.
Pontotoc District. }

I, Amanda Dorr, on oath state that I am 34 years of age and a citizen, by blood, of the Choctaw Nation; that I am the lawful wife of T. J. Dorr, who is a citizen, ~~by~~, of the United States; that a male (male or female) child was born to me on the 3rd day of June, 1900 that said child has been named Robert Abercrombie Dorr and is now living.

WITNESSES TO MARK

(Must be Two Witnesses.) }

Amanda Dorr

Subscribed and sworn to before me this 2nd day of August 1900
W. H. Palmer
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, }
INDIAN TERRITORY.
Pontotoc District. }

I, Evaline Paddleford, a midwife, on oath state that I attended on Mrs. Amanda Dorr, wife of T. J. Dorr, on the 3rd day of June, 1900 that there was born to her on said date a male (male or female) child; that said child is now living and is said to have been named Robert Abercrombie Dorr.

Evaline + Paddleford
mark

WITNESSES TO MARK.

(Must be Two Witnesses.) }

R. A. Eskew
R. J. James

Subscribed and sworn to before me this 2nd day of August 1900
W. H. Palmer
NOTARY PUBLIC

7-5221.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

----o----

In the matter of the application for the enrollment of Andrew J. Dorn, Jr., Tommy O. Dorn and Robert A. Dorn as citizens by blood of the Choctaw Nation.

--: D E C I S I O N :--

The applicants, Andrew J. Dorn, Jr., Tommy O. Dorn and Robert A. Dorn, claim their right to enrollment as citizens by blood of the Choctaw Nation through their mother Amanda Dorn. The right of the applicants' mother, Amanda Dorn, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, June 29, 1904, in case No. 31 upon the Tishomingo docket of said court, it is hereby ordered that the application of Andrew J. Dorn, Jr., Tommy O. Dorn and Robert A. Dorn for enrollment as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Chairman.

Muskogee, Indian Territory,

SEP 10 1904

Choctaw 3202

COPY.

Muskogee, Indian Territory, September 12, 1904.

Amanda Dorn,

Center, Indian Territory,

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated September 10, 1904, dismissing the application for the enrollment of Andrew J. Dorn Jr., Tommy O. Dorn and Robert A. Dorn as citizens by blood of the Choctaw Nation.

Respectfully,

PIONEER

Tams Bixby.

Chairman.

Registered.

Incl. T-8221.

Choctaw 5221

COPY.

Muskogee, Indian Territory, September 12, 1904.

Hopkins & Hill,

Attorneys at Law,

Muskogee, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated September 10, 1904, dismissing the application for the enrollment of Andrew J. Dorn, Jr., Tommy O. Dorn and Robert A. Dorn as citizens by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

Tams Bixby.

Chairman.

Registered.

Incl. 7- 5221.

Choctaw 2221

COPY.

Muskogee, Indian Territory, September 12, 1904.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission, dated September 10, 1904, dismissing the application for the enrollment of Andrew [illegible]Dorn, Jr., Tenny O. Dorn and Robert A. Dorn as citizens by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

Tams Bixby.

Chairman.

Incl. 7-5221.

CHOCTAW COURT CARD C. 266

IN RE application of Amanda Dorn and others.

Sworn by Commissioner McKennan

Andrew J. Dorn says:

Amanda Dorn is wife of T.J .Dorn and was married to him 1885.

She was admitted as "Amanda"Paddieo"

Andrew J. Jr. was born November 7th 1897.

I came to the Territory in May 1898.

Ardmore, Sept. 23 1898.

Amanda Dorn
Andrew J. Dorn Jr.

enrolled .

Muskogee, Ind. Ter. August, 23rd, 1900.

Hopkins and Hill,

Muskogee, Ind. Ter.

Gentlemen; The Commission is in receipt of your letter of the 21st inst. enclosing applications for enrollment as citizens of the Choctaw Nation of Robert Abocrombie Dorn, born June 3rd, 1900, and Tommy O. Dorn, born September 15th, 1896, the infant children of T. J. and Amanda Dorn, and the same being in proper form have been accepted as conclusive evidence of the birth of these children, and duly filed with the records of the Commission.

Yours truly,

Acting Chairman.

7-5221.

Choctaw 8821

Muskogee, Indian Territory, December 4, 1902.

T. Pollock,

Healdton, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of October 29, 1902, in which you desire to be advised if T. J., Amanda, Stella A., Effie, Lavina and Tommie O. Dorn are citizens by blood of the Choctaw or Chickasaw Nations, or court citizens.

In reply to your letter you are advised that it appears from our records that Amanda Dorn and her children, Andrew J. Jr., Tommy O. and Robert A. Dorn are listed for enrollment as citizens of the Choctaw Nation, having been admitted to such citizenship by a judgment of the United States Court for the Southern District of the Indian Territory, rendered at Ardmore, Indian Territory, December 21, 1897, in Choctaw citizenship case No. 187.

In 1899 application was made to this Commission for the enrollment of Stella A., Effie and Louvina J. Dorn for enrollment as citizens of the Choctaw Nation. Such application was refused by the Commission on May 9, 1902, and on October 17, 1902, the Secretary of the Interior approved the decision of the Commission.

* * *

H. F. Dorn appears upon our records as the non citizen husband of Amanda Dorn.

Respectfully,

Acting Chairman.

COMMISSIONERS
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

WM. O. BEALL,
Secretary

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES

REFER IN REPLY TO THE FOLLOWING
Choctaw 5221

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, September 12, 1904.

Amanda Dorn,

Center, Indian Territory,

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated September 10, 1904, dismissing the application for the enrollment of Andrew J. Dorn Jr., Tommy O. Dorn and Robert A. Dorn as citizens by blood of the Choctaw Nation.

Respectfully,

Chairman.

Registered.

Incl. 7-5221.

Clec 5222 Raborn Goins

5222

Choctaw Court Card No. 267

vs Raborn Goins and others.

Raborn Goins says:

Maudie M. was admitted as "Amanda May".

I moved to the Territory from Texas on the 27th of May and have been living here ever since.

Ardmore, Sept. 23 1898.

Raborn Goins
Thomas L. Goins
William M. Goins
Collin Goins
Eli Goins
Raborn Goins Jr.
Campbell Goins
Martha M. Goins
Missouri E. Goins
Maudie M. Goins
Dinky Goins

Enrolled.

Choctaw 5222

Muskogee, Indian Territory, October 6, 1902.

J. W. Sims,

Pauli, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of September 29, asking information as to the enrollment of Rayborn Goins and his family, and stating that you have married M. E. Goins, one of his daughters. You also ask for two copies of the supplemental agreement.

In reply to your letter you are advised that it appears from our records that on September 23, 1896, Rayborn Goins and ten minor children were listed for enrollment as citizens of the Choctaw Nation, pursuant to a judgment of the United States Court for the Southern District of the Indian Territory, rendered at Ardmore, Indian Territory, December 21, 1897, in court case, citizenship docket number 127. It does not appear that these persons had ever been recognized by the Choctaw tribal authorities as citizens of the Choctaw Nation. The copies of the agreement requested by you are herewith inclosed.

Respectfully,

2 Choctaw-Chickasaw
agreement.

Acting Chairman.

Quapaw Agency
Quapaw, Ind.

Muskogee, Indian Territory, January 28, 1908.

Mr. R. D. Goins,
Eagleton, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of January 10th, in which you ask if you are properly enrolled.

In reply to your letter you are advised that it does not appear from our records that any person by the name of R. D. Goins is an applicant to this Commission for enrollment in the Cherokee or Chickasaw Nation. If you will advise the Commission your full name, the names of the other members of your family and when and where you appealed as an applicant for enrollment, the matter of your inquiry will receive further consideration.

Respectfully,

Acting Chairman.

Choc 5223 W.R. Highsight

Nov 3-4 Dismissed

5223

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

))))):((((

Record in the matter of the application for enrollment as citizens by blood of the Choctaw Nation of:

EARL MIDNIGHT, et al., 7-5223.

----o----

144 Clarkson Ave
Ardmore Okla.

Affidavit of Attending Physician at Birth of Child.

IN RE APPLICATION OF

Mrs. Elizabeth Haymaker

FOR CITIZENSHIP IN

Choctaw

NATION.

Brown & Lyke
attys.
Ardmore, I.T.

268

C

Affidavit of Attending Physician at Birth of Child.

INDIAN TERRITORY,

Southern District.

I W Hardy, being duly sworn, on oath, state that I was the physician who attended on Mrs. Ruthie wife of W R Nowright on the 16 day of October 1898, and that there was born to her on said date a boy child, and that said child was named Earl, and is now living.

W Hardy M D.

Subscribed and sworn to before me this 22 day of [illegible] 189[illegible]

[illegible]

NOTARY PUBLIC.

DEPARTMENT OF THE INTERIOR

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of Ella May Hignight (Here insert name of child.) born on the 13th day of September, 1900

Name of Father: W R Hignight, a citizen of the Choctaw Nation.

Name of Mother: Ruth Hignight, a citizen of the U S ~~Nation~~.

Post-office, Ardmore Ind Ter

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY. Southern District.

I, Ruth Hignight, on oath state that I am 22 years of age and a citizen, by ..., of the US Nation; that I am the lawful wife of W R ~~Hignight~~ Hignight, who is a citizen, by blood, of the Choctaw Nation; that a female (male or female) child was born to me on the 13th day of September 1900; that said child has been named Ella May Hignight, and is now living.

Ruth Hignight

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 1st day of March 1901.

My Commission Expires January 7th 1903.

D R Mason NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY. Southern District.

I, Walter Harvey, a MD, on oath state that I attended on Mrs. J R. Hignight, wife of W R Hignight, on the 13th day of September, 1900; that there was born to her on said date a female (male or female) child; that said child is now living and is said to have been named Ella May Hignight

W Harvey MD

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 23d day of February 1901.

W C Potter NOTARY PUBLIC.

D64

7-5223.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

----o----

In the matter of the application for the enrollment of Earl Hignight and Ella May Hignight as citizens by blood of the Choctaw Nation.

--: D E C I S I O N :--

The applicants, Earl Hignight and Ella May Hignight, claim their right to enrollment as citizens by blood of the Choctaw Nation through their father, W.R. Hignight. The right of the applicants' father, W. R. Hignight, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, June 29, 1904, in case No. 16 upon the Tishomingo docket of said court, it is hereby ordered that the application of Earl Hignight and Ella May Hignight for enrollment as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Chairman.

Muskogee, Indian Territory,

SEP 10 1904

Choctaw 8223

Muskogee, Indian Territory, September 12, 1904.

Mansfield, McMurray & Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission, dated September 10, 1904, dismissing the application for the enrollment of Earl Hignight and Ella May Hignight as citizens by blood of the Choctaw Nation.

Respectfully,

Encl. 7- 8223.

Chairman.

Choctaw 5223

Muskogee, Indian Territory, September 12, 1904.

Brown & Mason,

Attorneys at Law,

Ardmore, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated September 10, 1904, dismissing the application for the enrollment of Earl Hignight and Ella May Hignight as citizens by blood of the Choctaw Nation.

Respectfully,

Registered. Chairman.

Incl. 9-5223.

Choctaw 3228

Muskogee, Indian Territory, September 12, 1904.

W. H. Hignight,

Ardmore, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated September 10, 1904, dismissing the application for the enrollment of Earl Hignight and Nila May Hignight as citizens by blood of the Choctaw Nation.

Respectfully,

Chairman.

Registered.
Incl. 7- 5223.

Chickasaw Court Card C. 268

application of W.R.Hignight and others .

W.R.Hignight says:

I have been living in the Chickasaw nation 17 years continuously.

Ardmore, Sept. 28 1903.

W.R.Hignight
Nancy Hignight

---

enrolled .

Muskogee, Indian Territory, March 4, 1901.

Brown & Mason,

Attorneys at Law,

Ardmore, Indian Territory.

Gentlemen:

The Commission is in receipt of your letter of March 1,1901, containing the application for enrollment as a citizen of the Choctaw Nation of Ella May Highnight, infant daughter of W.R. and Ruth Highnight, born September 13, 1900, and the same being in proper form, has been duly filed with the records of this Commission, and the child listed for enrollment as a citizen of the Choctaw Nation.

Very respectfully,

Acting Chairman.

7-3223.

7-5223

Muskogee, Indian Territory, June 15, 1905.

I. W. Fulsom,

Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of June 11, 1905, asking the status of W. R. Hignight and if he was ever recognized as a Choctaw or Chickasaw Indian; also if he was ever recognized by the Commission as a court claimant.

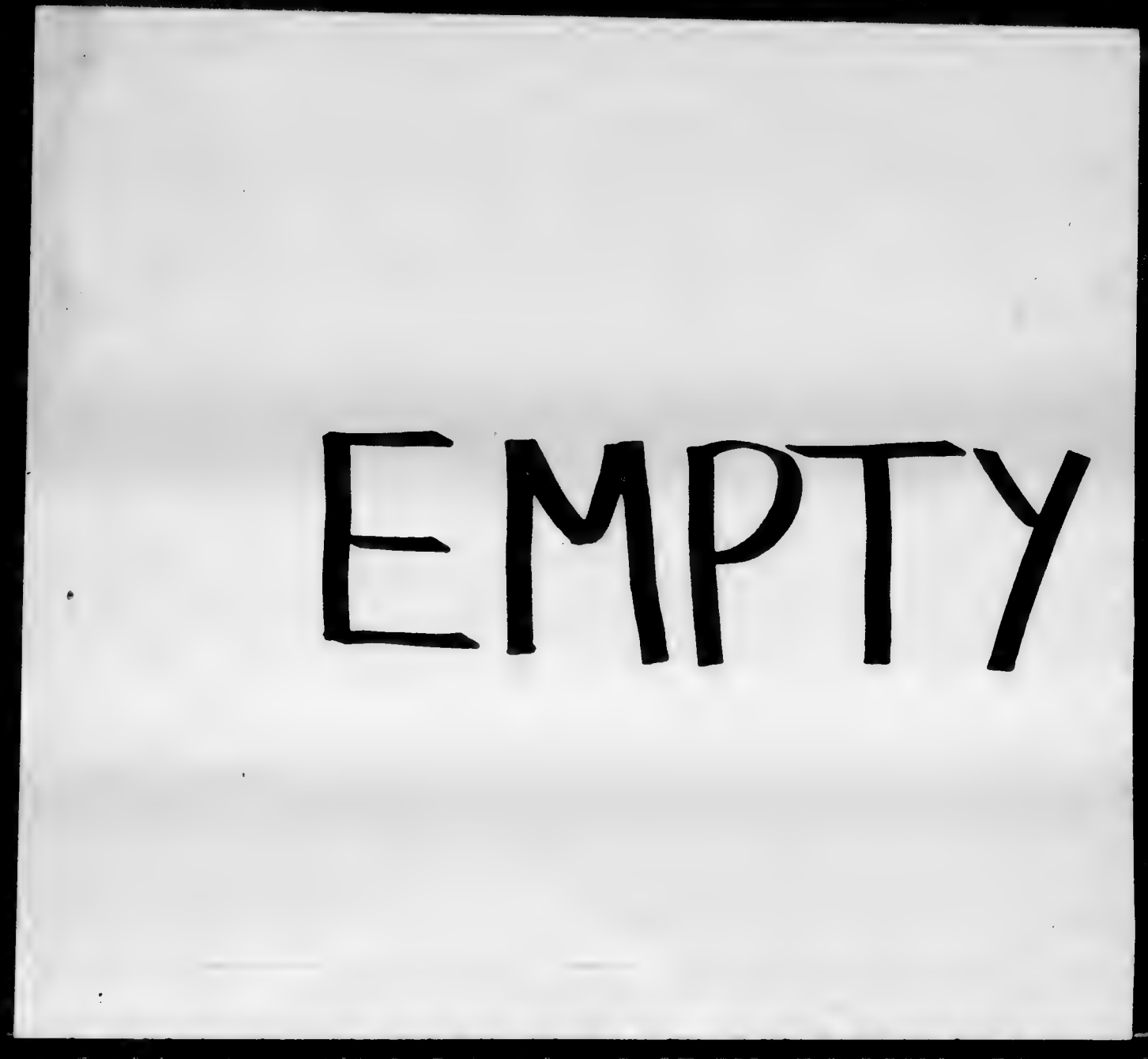
In reply to your letter you are advised that it appears from our records that W. R. Hignight was admitted as a citizen of the Choctaw Nation by a judgment of the United States Court for the Southern District of Indian Territory, March 10, 1898, in court case No. 1441 on the citizenship docket.

It further appears that on June 29, 1904, the Choctaw and Chickasaw Citizenship Court denied the citizenship in the Choctaw Nation of said W. R. Hignight.

You are further advised that it does not appear from our records that W. R. Hignight has been enrolled as a citizen of the Choctaw Nation by the Choctaw tribal authorities.

Respectfully,

Chairman.


EMPTY


EMPTY


EMPTY

Choc 5227 Elizabeth Petty

6-7-8 Dismissed Nov. 12, 1904

5227

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-oOo-

In the matter of the application of Pansy Petty and E. J. Petty for enrollment as citizens by blood of the Choctaw Nation 7-5227.

-oOo-

CHOCTAW.

20

IN RE

Application for Enrollment of

INFANT CHILD

Pansy Petty

as a citizen of the

CHOCTAW. Nation.

Approved, JUL 10 1900 190

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
JUL 10 1900

ACTING CHAIRMAN.

CHOCTAW.

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of Pansy Petty (Here insert name of child), born on the 1st day of December, 1899

Name of Father: C. W. Petty, a citizen of the Choctaw Nation.

Name of Mother: Mattie E. Petty, a citizen of the Choctaw Nation.

Postoffice, Marsden, I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY.
Southern District.

I, Mattie E. Petty, on oath state that I am 23 years of age and a citizen, by Marriage, of the Choctaw Nation; that I am the lawful wife of C. W. Petty, who is a citizen, by Blood, of the Choctaw Nation; that a female (male or female) child was born to me on the 1st day of December, 1899; that said child has been named Pansy Petty, and is now living.

Mattie E. Petty

WITNESSES TO MARK:
(Must be Two Witnesses.)
R D Beauford
J. A. Wiley

Subscribed and sworn to before me this 11th *day of* June, 1900

J. C. Wright
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, ~~INDIAN TERRITORY.~~
~~State of~~ County of Cooke District.

I, Collie Williams, a Midwife, on oath state that I attended on Mrs. Mattie E Petty, wife of C. W. Petty, on the 1st day of December, 1899; that there was born to her on said date a female (male or female) child; that said child is now living and is said to have been named Pansy Petty

Collie Williams

WITNESSES TO MARK:
(Must be Two Witnesses.)
J. L. Clark.
Earl Catis

Subscribed and sworn to before me this 14th *day of* June, 1900

Lewis Rogers
NOTARY PUBLIC
Cooke County Texas

CHOCTAW.

INDEXED

IN RE

Application for Enrollment of

INFANT CHILD

E. J. Pettigrew

as a citizen of

Chickasaw Nation.

Approved, July 14 1902 190

Commissioner.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
JUL 14 1902

ACTING CHAIRMAN.

CHOCTAW.
~~7057~~ 5327

BIRTH AFFIDAVIT. 20

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Chactaw Nation,
of E J Pettey (Here insert name of child), born on the 6 day of May, 1902
Name of Father: Eli Pettey a citizen of the Chactaw Nation.
Name of Mother: Mattie E Pettey citizen of the Chactaw Nation.
Post-office, Marsden I T

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Southern District.

I, Mattie Pettey, on oath state that I am 24 years of age and a citizen, by marriage, of the Choctaw Nation; that I am the lawful wife of Eli Pettey, who is a citizen, by Blood, of the Chactaw Nation; that a Boy (male or female) child was born to me on the 6 day of May 1902 that said child has been named E J Pettey, and is now living.

Mattie E Pettey

WITNESSES TO MARK:
(Must be Two Witnesses)

Subscribed and sworn to before me this 3 day of July 1902.

A. G. Grider NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Southern District.

I, Dr J R Hammond, on oath state that I attended on Mrs. Mattie Pettey wife of Eli Pettey, on the 6 day of May, 1902 that there was born to her on said date a Boy (male or female) child; that said child is now living and is said to have been named E J Pettey

Dr. J. R. Hammond

WITNESSES TO MARK:
(Must be Two Witnesses)

Subscribed and sworn to before me this 3 day of July 1902.

A. G. [redacted] NOTARY PUBLIC.

7-5227.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Pansy Petty and E. J. Petty for enrollment as citizens by blood of the Choctaw Nation.

The applicants, Pansy Petty and E. J. Petty, claim the right to enrollment as citizens by blood of the Choctaw Nation through their father, Chas. W. Petty or Charles W. Petty.

The right of the applicants' father, Chas. W. Petty or Charles W. Petty, for enrollment as a citizen by blood of the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court on October 20, 1904, in case No. 96 upon the South McAlester docket, it is hereby ordered that the applications of Pansy Petty and E. J. Petty for enrollment as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Muskogee, Indian Territory,

NOV 12 1904

Choctaw 5227

COPY.

Muskogee, Indian Territory, November 12, 1904.

Charles W. Petty,

Marsden, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated November 12, 1904, dismissing the application for the enrollment of your minor children, Daisy Petty and E. J. Petty as citizens by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

Registered. Chairman.

Incl. T-5227.

Choctaw 5227

COPY.

Muskogee, Indian Territory, November 12, 1904.

J. C. Ralls,
Attorney at Law,
Atoka, Indian Territory,

Dear Sir:

Inclosed herewith you will find copies of the orders of the Commission to the Five Civilized Tribes, dated November 12, 1904, dismissing the applications for the enrollment of Corine Petty, Pansy Petty and E. J. Petty as citizens by blood of the Choctaw Nation.

Respectfully,

SIGNED

Chairman.

Registered.

2 Incl. 7-5227.

Cherokee 5287

COPY.

Muskogee, Indian Territary, November 12, 1904.

Mansfield, McMurray & Cornish,

Atternays for Cheetaw and Chickasaw Nations,

South McAlester, Indian Territary,

Gentlemen:

Inclosed herewith you will find copies of the orders of this Commission dated November 12, 1904, dismissing the applications for the enrollment of Corine Petty, Pansy Petty and R. J. Petty as citizens by blood of the Cheetaw Nation.

Respectfully,

SIGNED

Tams Bixby

2 Incl. 7-5287.

Chairman.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-oOo-

In the matter of the application of Corine Petty for enrollment as a citizen by blood of the Choctaw Nation---7-5227.

-oOo-

INDEXED

CHOCTAW 20

IN RE

Application for Enrollment of

INFANT CHILD

Corine Petty

as a citizen of the

Choctaw Nation.

Approved, JUN 23 1902 190

Commissioner.

CHOCTAW 5227

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of Corine Pelly, born on the 27 day of March, 1902.
(Here insert name of child.)

Name of Father: George R. Pelly, a citizen of the Choctaw Nation.

Name of Mother: Minnie Ann Pelly, citizen of the Nation.

Post-office, Wapanucka I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY
Southern District.

I, Minnie Ann Pelly, on oath state that I am 21 years of age and a citizen, by Marriage, of the Choctaw Nation; that I am the lawful wife of George R Pelly, who is a citizen, by Blood, of the Choctaw Nation; that a Female (male or female) child was born to me on the 27 day of March 1902; that said child has been named Corine Pelly, and is now living.

Minnie Ann Pelly

WITNESSES TO MARK

(Must be Two Witnesses.) Corrie Pelly
Ed Pelly

Subscribed and sworn to before me this 18 *day of* June 1902

W. M. Baller
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY.
Southern District.

I, ... , a Midwife, on oath state that I attended on Mrs. Minnie Ann Pelly wife of [redacted] Pelly, on the 27 day of March, 1902; that there was born to her on said date a Female (male or female) child; that said child is now living and is said to have been named Corine Pelly.

Liddia her X Baines
mark

WITNESSES TO MARK

(Must be Two Witnesses) Corrie Pelly
Ed Pelly

Subscribed and sworn to before me this 18 *day of* June 1902

W. M. Baller
NOTARY PUBLIC

7-5227.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-oOo-

In the matter of the application of Corine Petty for enrollment as a citizen by blood of the Choctaw Nation.

-----oOo-----

The applicant, Corine Petty, claims the right to enrollment as a citizen by blood of the Choctaw Nation through her father, George R. Petty.

The right of the applicant's father, George R. Petty, to enrollment as a citizen by blood of the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court on October 20, 1904, in case No. 96 upon the South McAlester docket of said court, it is hereby ordered that the application of Corine Petty for enrollment as a citizen by blood of the Choctaw Nation, be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Muskogee, Indian Territory,

NOV 12 1904

COPY. Choctaw 5227

Muskogee, Indian Territory, November 12, 1904.

George R. Petty,

Maraden, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes dated November 12, 1904, dismissing the application for the enrollment of your minor child, Corine Petty as a citizen by blood of the Choctaw Nation.

Respectfully,

SIGNED

Tams Bixby

Chairman.

Registered.

Incl. 7-5227.

Choctaw 5227

COPY.

Muskogee, Indian Territory, November 12, 1904.

J. G. Ralls,

Attorney at Law,

Ateka, Indian Territory,

Dear Sir:

Inclosed herewith you will find copies of the orders of the Commission to the Five Civilized Tribes, dated November 12, 1904, dismissing the applications for the enrollment of Corine Petty, Fanny Petty and E. J. Petty as citizens by blood of the Choctaw Nation.

Respectfully,

SIGNED

Tams Bixby

Chairman.

Registered.

Incl. 7-5227.

Choctaw 3227

COPY.

Muskogee, Indian Territory, November 12, 1904.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find copies of the orders of this Commission dated November 12, 1904, dismissing the applications for the enrollment of Corine Petty, Pansy Petty and E. J. Petty as citizens by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

Tams Bixby

Chairman.

2 Incl. T-5227.

Certificate of Record of Marriage.

UNITED STATES OF AMERICA, }
THE INDIAN TERRITORY, } sct.
SOUTHERN DISTRICT. }

I. C. M. CAMPBELL, Clerk of the United States Court in the Territory and District aforesaid. DO HEREBY CERTIFY, that the License for, and Certificate of Marriage of Mr. M Petty and M Mattie Perry were filed in my office in said Territory and District the 1 day of Apr A. D. 189 9. and duly recorded in Book D of Marriage Record, page 179

WITNESS my hand and seal of said Court, at Ardmore, this 6 day of Apr A. D. 1899

C M Campbell

Ardmorite Power Print, Ardmore, I. T.

FILED
APR 6 1899
C. M. CAMPBELL, Clerk.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
JUL 10 1900
ACTING CHAIRMAN.

5878

MARRIAGE LICENSE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
SOUTHERN DISTRICT. } ss: To Any Person Authorized by Law to Solemnize Marriage—Greeting:

You are Hereby Commanded, *To solemnize the Rite and publish the Banns of Matrimony between*

Mr. C W Petty *of* Marsden

in the Indian Territory, aged 23 *years, and*

M Mattie Berry *of* Marsden

in the Indian Territory, aged 22 *years,*

according to law; and do you officially sign and return this License to the parties therein named.

Witness my hand and official seal, this 11th *day of* March *A. D. 189*9

C M Campbell
Clerk of the United States Court.

Certificate of Marriage.

UNITED STATES OF AMERICA,
THE INDIAN TERRITORY,
SOUTHERN DISTRICT. } ss. I. [illegible]

a [illegible]

do hereby certify, that on the 12th day of [illegible] A. D. 189[illegible]. I did duly and according to law, as commanded in the foregoing License, solemnize the Rite and publish the Banns of Matrimony between the parties therein named.

WITNESS my hand, this 12th day of [illegible] A. D. 189[illegible]

My credentials are recorded in the office of the Clerk of the United States Court, Indian Territory, Southern District, at Ardmore, Book A Page 211.

[illegible]

a [illegible]

NOTE (a)—This License and Certificate of Marriage must be returned to the office of the Clerk of the United States Court in the Indian Territory, at Ardmore, within sixty days from the date thereof, or the party to whom the License was issued will be liable in the amount of One Hundred Dollars, ($100.)

NOTE (b)—No person is authorized to perform the Marriage Ceremony in the Southern District, unless the proper credentials have first been recorded in the Clerk's office.

Certificate of Record of Marriage

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District. } sct.

I, C. M. CAMPBELL, Clerk of the United States Court, in the Territory and District aforesaid, DO HEREBY CERTIFY, that the License for and Certificate of Marriage of

Mr. J. K. Petty ...and

M Minnie Walker.....

were filed in my office in said Territory and District the 22 day of July A. D. 190 1

and duly recorded in Book E ....of

Marriage Record, Page 465.

WITNESS my hand and Seal of said Court, at

Ardmore, this 22 .....day

of July A. D. 190 1

C. M. Campbell

C. M. CAMPBELL, Clerk. CLERK.

☞ Return this License to the United States Clerk at Ardmore, that it may be recorded, when it will be mailed to the proper address.

TEXAS PRINTING COMPANY

Marriage License

United States of America,
INDIAN TERRITORY
SOUTHERN DISTRICT. } ss:

To Any Person Authorized by Law to Solemnize Marriage, Greeting:

You Are Hereby Commanded To solemnize the Rite and publish the Banns of Matrimony between Mr. J. R. Petty of Marsden in the Indian Territory, aged 30 years and M. Minnie Decker of Marsden in the Indian Territory, aged 20 years, according to law; and do you officially sign and return this License to the parties therein named.

Witness My hand and official Seal, this 21 day of June A. D. 1907

W. Campbell
Clerk of the United States Court.

Certificate of Marriage.

UNITED STATES OF AMERICA,
INDIAN TERRITORY.
SOUTHERN DISTRICT. } ss:

I, Wm. H. Burch a Minister of the Gospel do hereby certify, that on the 23 day of June, A. D. 1907, I did duly and according to law, as commanded in the foregoing License, solemnize the Rite and publish the Banns of Matrimony between the parties therein named.

WITNESS my hand, this 23 day of June, A. D. 1907

My credentials are recorded in the office of the Clerk of the United States Court, Indian Territory, Southern District, at Ardmore, Book A, Page 647

Wm. H. Burch
a Minister of the Gospel

(NOTE.—The person officiating should fill in the spaces for book and page and sign here.)

NOTE (a)—This License and Certificate of Marriage must be returned to the office of the Clerk of the United States Court in the Indian Territory, at Ardmore, within sixty days from the date thereof, or the party to whom the License was issued will be liable in the amount of One Hundred Dollars ($100.)

NOTE (b)—No person is authorized to perform the Marriage Ceremony in the Southern District unless the proper credentials have first been recorded in the Clerk's office.

Memphis, [illegible] Sept. 6, 1905

Hon. J. S. McCarron,

Dear

Sir: Some time since I addressed a letter to the Hon. Jas. K. [illegible] in some friendly postscript card in his reply he [illegible] it was [illegible] before him. There is a family here who say they are on your [illegible] and intimate that they got them by fraud; that they manipulate their witnesses in Courts and could get any man on the [illegible] with thirty dollars for manipulation purposes. To all [illegible] they have no legal right; there was a letter written to a daughter in Brown Co. Tex to send Pam ten dollars at once as the Government demands two more witnesses and we can hire them for that amount; the ten dol. came as requested. Parties are here who read the above name letter.

Their names are

Old Man Petty
[illegible] Petty
Charles Petty
Bob't Petty
Geo. Petty

Sons in law are
George Matlock
Lewis Strecker

Hoping to hear from you by return mail, I remain

Yr ever,

(Signed) J. C. Bouchet.

(Pettys are on cards C 272-3; Louise Matlock on C 274; Amanda Strecker on card C 276)

Muskogee, Indian Territory, July 10, 1900.

Mr. Joseph G. Ralls,

Attorney at Law,

Atoka, Indian Territory,

Dear Sir:

The Commission is in receipt of your letter of July 7th, inclosing marriage license and certificate of C. W. Petty and Mattie E. Perry, in the application for enrollment as a citizen of the Choctaw Nation of Pansy Petty, the infant daughter of C. W. and Mattie E. Petty, born December 1st, 1899. The marriage license has been duly filed, and the application for the enrollment of Pansy Petty, being in proper form, and being identified as a legitimate child of a recognized citizen of the Choctaw Nation, has also been filed with the records of the Commission.

You state further in your letter that Mrs. Mattie E. Petty has never appeared as an applicant for enrollment as an intermarried citizen of the Choctaw Nation, and you desire to be informed where and when she may appear before the Commission for the purpose of making such application. You are informed that the Commission will hear applications for enrollment as citizens of the Choctaw and Chickasaw Nations at its office in Muskogee, any time between July 18th and 31st. But as you are aware, the rules of the Department require that each applicant must present himself in person for oral examination

J.S.M.S.

under oath, so that a sufficient statement may be had upon which the Commission may base a decision, and also for forwarding to the Secretary of the Interior when the final rolls of the citizens of any of the five civilized tribes are sent to him for approval. A recognized citizen of any of the five tribes may, however, appear on behalf of his wife and minor children. In the case of Mrs. Betty's application, it would therefore, be necessary that either she or her husband appear in person before the Commission for examination to present the evidence of their marriage, before her application could be further considered by the Commission.

Yours truly,

Acting Chairman.

In reply to this letter,
please refer to 7-5227

Muskogee, Indian Territory, June 22, 1906.

Mr. J. W. Walls,

Atoka, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of June 15th, inclosing application for enrollment of Fanny Petty, the infant daughter of C. W. and Mattie N. Petty. Before any further steps can be taken in the matter of the application for enrollment of this child it will be necessary to have either the original or a certified copy of the marriage license between C. W. Petty, and his wife, Mattie N. Petty. Upon the receipt of either the original or a certified copy of the marriage license and certificate, the matter of the application for enrollment of Fanny Petty will receive further consideration.

The Commission is also in receipt of the application for enrollment of Mary Pickens, infant daughter of John T. and Mary Pickens, inclosed in your letter of June 15th. The same, being in proper form, has been duly filed with the records of the Commission, and receipt acknowledged to John T. Pickens at Oscar, Indian Territory.

Yours truly,

Acting Chairman.

In reply to this letter,
7-3227

Choctaw 5227

Muskogee, Indian Territory, June 23, 1902.

George B. Petty,

Marsden, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the marriage license and certificate between G. B. Petty and Minnie Walker, and the same has been duly filed with the records of this office.

Receipt is also acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Corine Petty, the infant daughter of George B. and Minnie Ann Petty, born March 27, 1902, and the same being in proper form has also been duly filed with the records of this office, and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Commissioner in Charge.

Choctaw [illegible]

Muskogee, Indian Territory, July 16, 1902

C. W. Petty,

Marsden, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of E. J. Petty, the infant son of C. W. and Nattie E. Petty, born May 6, 1902, and the same being in proper form has been duly filed with the records of this office and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Acting Chairman.

Choctaw Court Card C. 272

...on of Elizabeth Petty and others.

...no:

Edmuhd J. Petty says:

I have lived in Texas until 10 years ago. I have been living here continuously since that time.

Tishomingo. Sept. 28 1898.

Elizabeth Petty
Charles W. Petty
George R. Petty
Margaret E. Petty
Jacob Petty

enrolled.

Choc 5228 John L. Petty

#6-7-8 Dismissed Nov 17, 1904

#2 Dismissed Dec 3, 1904

5228

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Mary A. Petty as a citizen by intermarriage of the Choctaw Nation.

7-5228.

H.S.

7-5228.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for [illegible] of Mary A. Petty as a citizen by intermarriage [illegible] Choctaw Nation.

----oOo----

It appears from the records of the C[illegible] on September 8, 1896 in the case entitled "Ed[illegible] et al., vs. Choctaw Nation" (1896 Choctaw Citizenship Docket, case number 562) original application was made [illegible] Commission, under the provisions of the act of Congress approved June 10, 1896 (29 Stat., 321), for admission [illegible] intermarriage of the Choctaw Nation of one [illegible] Petty, and on December 2, 1896 said Mary A. Petty was [illegible] Commission denied an application as a citizen by intermarriage of the Choctaw Nation. From this decision [illegible] Commission an appeal was taken to the United States Court for the Central District of Indian Territory, [illegible] case entitled "Edmond J. Petty, et al., vs. Choctaw Nation" (Citizenship Case number 22) reversed the decision of the Commission denying said Mary A. Petty admission [illegible] Choctaw Nation and admitted said applicant as a citizen by intermarriage of said nation.

It further appears from the records in possession of the Commission that on December [illegible], 1896 the Choctaw and Chickasaw Citizenship Courts, under the provisions of the act of Congress approved July 1, 1898 (30 Stat., 641), "set aside, annulled, vacated and held for naught" the aforesaid judgment of the United States Court for the Central District of Indian Territory. Said [illegible] appealed or certified to the said Choctaw and Chickasaw Citizenship Court for [illegible] trial de novo, [illegible] the provisions of said act of Congress approved July 1, 1898.

In accordance with [illegible] opinion of the Assistant Attorney General dated [illegible], 1904 (I. T. D. [illegible]-1904) and the opinion of the Assistant Attorney [illegible] for the Department of the Interior dated July 30, 1904 (I. T. D. [illegible]-1904) the Commission [illegible] to take any action [illegible] of Mary A. Petty [illegible] Choctaw Nation and it is [illegible] li-

cation for the enrollment of Mary A. Petty as a citizen by intermarriageof the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Chairman.

Muskogee, Indian Territory,

DEC 3 1904

Choctaw [illegible]

COPY.

Muskogee, Indian Territory, December 3, 1904.

Mary A. Petty,

Marsden, Indian Territory,

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated December 3, 1904, dismissing your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

Respectfully,

COMMISSIONER

Tams Bixby

Chairman.

Registered.

Incl. 7-5828.

Choctaw [illegible]

COPY.

Muskogee, Indian Territory, December 3, 1904.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission, dated December 3, 1904, dismissing the application for the enrollment of Mary A. Pe ty as a citizen by intermarriage of the Choctaw Nation.

Respectfully,

[illegible]

Tams Bixby

Chairman.

Incl. 7-5228.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment as citizens of the Choctaw Nation of-

WILLIE PETTY, NT AL. T-52 S.

Choctaw Court Card C. 273

[illegible] of John L. Petty and others.

[illegible]or

John L. Petty says:

May A. was admitted by intermarriage.

Willie was born April 30th 1897.

I have been living in the Chickasaw nation for 10 years continuously, except one year ago I moved to the Choctaw Nation.

Tishomingo, Sept. 28 1898.

John L. Petty
Mary A. Petty
Ella Petty
Blanche Petty
Ruben Petty
Willie Petty

enrolled.

Indian Territory
Southern Division } Harrahan Ind. T.
Sept 28th 1911

I Mary A. Pettie a Chickasaw by marriage the lawful Wife of Lehman Pettie a Chickasaw by Blood certify that there were born to me a boy child on the 19th of Sept 1911 and did on Nancy Chickasaw Pettie and is now living.

Witness my hand.

Sworn to and subscribed before me a Notary Public this the 28th day of Sept 1911

J. L. Wrenfro
Notary Public

Indian Territory
Southern Division

This is to certify that I was present at the birth of Mary A. Pettie's child and that Mary A. Pettie is living her acquaintance and that there were born to her a boy child on the 19th day of Sept 1911

J. J. Beckwith M.D.

Sworn to and subscribed before me a Notary Public this the 28th day of Sept 1911

J. L. Wrenfro
Notary Public

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Clayton Petty, born on the 19th day of Sept, 1899
Name of father: John L. Petty, a citizen of the Choctaw Nation.
Name of mother: Mary A. Petty, a citizen of the Choctaw Nation.
Post Office: Marsden Ind. Ter.

AFFIDAVIT OF ~~MOTHER~~ Father

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Central District.

I, John L Petty, on oath, state that I am 29 years of age and a citizen, by blood, of the Choctaw Nation; that I am the lawful ~~wife~~ husband of Mary A. Petty who is a citizen, by Intermarriage, of the Choctaw Nation; that a male child was born to ~~her~~ me on the 19th day of Sept, 1899; that said child has been named Clayton Petty, and is now living.

John L Petty
his mark

Subscribed and sworn to before me this 5th day of Oct, 1899.

J G Reid
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
..... District.

I, ..., a ....., on oath, state that I attended on Mrs. ....., wife of ..... on the ... day of ....., 1 : that there was born to her on said date a ... child; that said child is now living and is said to have been named .....

Subscribed and sworn to before me this ... day of ....., 1 .....

Notary Public.

CHOCTAW. INDEXED

IN RE

Application for Enrollment of

INFANT CHILD

Odell Amanda Petty

as a citizen of

Choctaw Nation.

Approved, SEP 22 1902 190

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
SEP 22 1902

ACTING CHAIRMAN

CHOCTAW.

5225

BIRTH AFFIDAVIT. 20

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Ordrel Amanda (Here insert name of child) born on the 12 day of Sept, 1902
Name of Father: John F. Petty, a citizen of the Choctaw Nation.
Name of Mother: Mary A Petty, a citizen of the Choctaw Nation.
Post-office. Marden I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY,
Southern District.

I, Mary A Petty, on oath state that I am 32 years of age and a citizen, by Marriage, of the Choctaw Nation; that I am the lawful wife of John, F, Petty, who is a citizen, by Blood, of the Choctaw Nation; that a Female (male or female) child was born to me on the 12 day of Sept 1902 that said child has been named Ordrel Amanda Petty, and is now living.

WITNESSES TO MARK:
(Must be Two Witnesses) { Alice Matlock
E.A Petty

Mary A her X mark Petty

Subscribed and sworn to before me this 18 *day of* Sept *190*2

W. M. Butler NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY,
Southern District.

I, A. A. Eastwood, a physician on oath state that I attended on Mrs. Mary A Petty, wife of John, F, Petty, on the 12 day of Sept, 1902 that there was born to her on said date a Female (male or female.) child; that said child is now living and is said to have been named Ordrel Amanda Petty

WITNESSES TO MARK:
(Must be Two Witnesses) { Alice Matlock
E A Petty

A. A. Eastwood, M.D.

Subscribed and sworn to before me this 18 *day of* Sept *190*2

W. M. Butler NOTARY PUBLIC.

7-5206.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Willie Petty, Clayton Petty and Ordrel Amanda Petty for enrollment as citizens by blood of the Choctaw Nation.

- - - - - - - - - - -

The applicants, Willie Petty, Clayton Petty and Ordrel Amanda Petty, claim the right to enrollment as citizens by blood of the Choctaw Nation through their father, John L. Petty.

The right of the applicants' father, John L. Petty, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court on October 20, 1904, in case number 96 upon the South McAlester docket of said court, it is hereby ordered that the applications of Willie Petty, Clayton Petty and Ordrel Amanda Petty for enrollment as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Muskogee, Indian Territory,
NOV 12 1904

Choctaw 5228

COPY.

Muskogee, Indian Territory, November 12, 1904.

John L. Petty,

Marsden, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated November 12, 1904, dismissing the application for the enrollment of your minor children, Willie Petty, Clayton Petty and Ordrel Amanda Petty as citizens by blood of the Choctaw Nation.

Respectfully,

SIGNED

Tams Bixby

Chairman.

Registered.

Incl. 7-5228.

Choctaw 5228.

COPY.

Muskogee, Indian Territory, November 12, 1904.

Mansfield, McMurray & Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission dated November 12, 1904, dismissing the application for the enrollment of Willie Petty, Clayton Petty and Ordrel Amanda Petty as citizens by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

Tams Bixby

Chairman.

Incl. 7-5228.

C O P Y - Letter.

Harmon, I. T. Sept. 4, 1909.

Hon. [redacted],

Sir:

Not long since I addressed a letter to the Hon. Jas. H. Berry in regard to some frauds perpetrated and in his reply he said it was my duty to inform you. There is a family here who say they are on your rolls as Choctaws and intimate that they got there by fraud; say they manipulated their witnesses in Courts and could get any man on the roll with thirty dollars for manipulation purposes. We all know they have no legal right; there was a letter written to a daughter in Brown Co. Tex to send them ten dollars at once as the Government demands two more witnesses and we can hire them for that amount; the ten dol. came as requested. Parties are here who read the above same letter.

Their names are

Old Man Petty
John Petty
[redacted] Petty
[redacted]'t Petty
Geo. Petty
Some in law are
George Matlock
Lewis Kirnsmer

Hoping to hear from you by return mail, I remain

As ever,

(Signed) J. C. Boucher.

(Pettys are on cards # 273-3; Louisa Matlock on C 274; Amanda Kirnsmer on card C 276)

Choctaw 8298

Muskogee, Indian Territory, May 27,1903.

M. A. Petty,

Ada, Indian Territory,

Dear Madam:

Receipt is hereby acknowledged of your letter of the twenty first instant, in which you desire information relative to your rights and the rights of your children to enrollment as citizens of the Choctaw Nation.

Replying to your inquiry you are advised that it appears from our records that on September 28, 1898, John L. Petty, twenty eight years of age, of Fulsom, Indian Territory, his wife, Mary A. Petty, twenty nine years of age, and their four minor children, Ella, Blanche, Ruben and Willie, were listed for enrollment by this Commission as citizens of the Choctaw Nation, having been admitted to such citizenship by a judgment of the United States Court for the Central District of the Indian Territory, rendered at South McAlester, August 25, 1897, in Choctaw Citizenship Case number 22, and that subsequently, on November 1, 1899, Clayton Petty, the infant child of John L. and Mary A. Petty, was listed for enrollment upon presentation of sufficient evidence of his birth. If the Mary A. Petty and the children above named are the persons referred to in your commun-

E.A.F. 2

[illegible]ication, you are advised that in pursuance of the judgment of the United States Court above referred to they have been duly listed for enrollment as citizens of the Choctaw Nation by this commission, but their names are not found upon any of the tribal rolls of the Choctaw Nation in the possession of the Commission, nor does it appear that they have ever in any manner been recognized as citizens of the Choctaw Nation by the tribal authorities of the said nation.

If you are not the Mary A. Petty above referred to it will be necessary that you inform the Commission of the time and place you made application for enrollment, the names of other members of your family for whom application was made at the same time, and such other information as would enable the Commission to identify you as applicants for enrollment as citizens of the Choctaw Nation.

Yours truly,

Acting Chairman.

T-6225.

Muskogee, Indian Territory, September 22, 1902.

John L. Petty,

Marsden, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Ordrel Amanda Petty, infant daughter of John L. and Mary A. Petty, born September 18, 1902; and the same being in proper form has been duly filed with the records of the Commission, and the child listed for enrollment as a citizen of the Choctaw Nation.

Respectfully,

Acting Chairman.

7-5288

Muskogee, Indian Territory, November 28, 1903.

H. Y. McBride,

Tuttle, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of November 18, asking the status of the enrollment of Frances Schrock. You state that she was formerly Frances Williams.

In reply to your letter you are informed that it appears from our records that Frances Schrock, wife of L. L. Schrock, and her minor child, Arthur Lee Schrock, have been listed for enrollment as citizens by blood of the Choctaw Nation, but their names have not yet been placed upon the schedules of citizens by blood of said Nation prepared for forwarding to the Secretary of the Interior.

Respectfully,

Chairman.

Choc 5229 Louisa Matlock

#4-5 Dismissed Nov 12, 1904

5229

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-oOo-

In the matter of the application of Mintie Matlock and Joseph G. Ralls Matlock for enrollment as citizens by blood of the Choctaw Nation- - - - - - - - - - 7-5229.

-oOo-

Choctaw Court Card No. 274

IN RE ... of Louisa Matlock and others.

Louisa Matlock says:

Mintie was born March 8th 1897.

I have been living in the Territory 8 years. I had been living here 6 years and went to Texas and came back in August 1897. I have been living in the Nation 2 years.

Tishomingo, Sept. 28 1898.

Louisa Matlokk
John Matlock
Nellie Matlock
Mintie Matlock

enrolled.

IN RE

Application for Enrollment of

INFANT CHILD.

Joseph D. Rallsmallwood

As a citizen of the

CHOCTAW Nation.

Approved JUN 11 1900

Commissioner.

FILED
JUN 11 1900
COMMISSION TO FIVE TRIBES.

#5229 Chas

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Chocktaw Nation,

of Jos. G. Ralls Matlock, born on the 1st day of Feb, 1900.

Name of father: Geurge W. Matlock, a citizen of the Chocktaw Nation.

Name of mother: Louisa Alice Matlock, a citizen of the Chocktaw Nation.

Post Office: Marsden I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District.

I, Louisa Alice Matlock, on oath, state that I am 34 years of age and a citizen, by Blood, of the Chocktaw Nation; that I am the lawful wife of Geurge W Matlock, who is a citizen, by Marriage, of the Chocktaw Nation; that a Boy child was born to me on the 1st day of Feb, 1900; that said child has been named Joseph G. Ralls Matlock and is now living.

Louisa Alice Matlock

Subscribed and sworn to before me this 6th day of June, 1900.

J. C. Wright
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District.

I, A. J. Easterwood, a Physician, on oath, state that I attended on Mrs Louisa Alice Matlock, wife of Geurge W Matlock on the 1st day of Feb, 1900; that there was born to her on said date a Boy child; that said child is now living and is said to have been named Joseph G. Ralls Matlock

A. J. Easterwood

Subscribed and sworn to before me this 6th day of June, 1900.

J. C. Wright
Notary Public.

AB
2610

7-5229.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Mintie Matlock and Joseph G. Ralls Matlock for enrollment as citizens by blood of the Choctaw Nation.

The applicants, Mintie Matlock and Joseph G. Ralls Matlock, claim the right to enrollment as citizens by blood of the Choctaw Nation through their mother, Louisa Matlock or Louisa A. Matlock.

The right of the applicants' mother, Louisa Matlock or Louisa A. Matlock to enrollment as a citizen by blood of the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court on October 20, 1904, in case No. 96 upon the South McAlester docket of said court, it is hereby ordered that the applications of Mintie Matlock and Joseph G. Ralls Matlock for enrollment as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, _____ Chairman.

NOV 12 1904

Choctaw 8229

COPY.

Muskogee, Indian Territory, November 12, 1904.

Louisa (or Louisa A.) Matlock,
Marsden, Indian Territory,

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated November 12, 1904, dismissing the application for the enrollment of Mattie Matlock and Joseph G. Ralls Matlock as citizens by blood of the Choctaw Nation.

Respectfully,

Tams Bixby

Registered. Chairman.

Incl. 7-8229.

[redacted]

COPY.

Muskogee, Indian Territory, November 12, 1904.

J. G. Ralls,
Attorney at Law,
Atoka, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated November 12, 1904, dismissing the application for the enrollment of Mintie Matlock and Joseph G. Ralls Matlock as citizens by blood of the Chootaw Nation.

[redacted]

(SIGNED)

Tams Bixby

Registered. Chairman.

Incl. 7-5229.

Choctaw 5229

COPY.

Muskogee, Indian Territory, November 12, 1904.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission, dated November 12, 1904, dismissing the application for the enrollment of Mintie Matlock and Joseph G. Ralls Matlock as citizens by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

Tams Bixby

Chairman.

Incl. 7-5229.

S E A T - Letter.

Marysville, B. T. Sept. 4, 1858.

Hon. A. S. McFarlane,

Sir;

Not long since I addressed a letter to the Hon. Jno. E. Berry in regard to some Fuzzie proposition and in his reply he said it was my duty to inform you. There is a knight here who say they are on your rolls as natives and intimate that you got them by fraud; say they manipulated their witnesses in Olympia and would put any man on the roll with thirty dollars for manufacturing purposes. We all know they have no legal right; there was a letter written to a daughter in Brown Co. Esq to send Pan ten dollars at once as the Government demands two more witnesses and we can hire them for that amount; the ten dol. came as requested. Parties are here who read the above same letter.

Their names are

Old Man Petty
John Petty
Charles Petty
Daniel Petty
Geo. Petty
Sons in law
Caution Bullock
Lewis Simmons

Desire to hear from you by return mail, I remain

Ys ever,

(Signed) J. C. Bonner.

[Peter Ann on roll B 278-2, Louisa Knight on B 284] Jemima Strother on roll B 280]

Colbert, Indian Territory, June 18, 1900.

Mr. George W. Matlock,

Marsden, Indian Territory,

Dear Sir:

The Commission is in receipt of the application for enrollment as a citizen of the Choctaw Nation of Joseph G. Ralls Matlock, the infant son of George W. and Louisa Alice Matlock, born February 1st, 1900. The same, being in proper form, has been accepted and filed with the records of the Commission, and the child has been duly listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Acting Chairman.

Colbert, Indian Territory, June 12, 1900.

Mr. Joseph C. Ralls,
Attorney at Law,
Atoka, Indian Territory.

Dear Sir:

The Commission is in receipt of the application for enrollment as a citizen of the Choctaw Nation of Joseph C. Ralls Matlock, the infant son of George W. and Louisa Alice Matlock, and the same, being in proper form, has been filed with the records of the Commission, and the child has been listed for enrollment. Receipt has also been acknowledged to George W. Matlock at Marsden, Indian Territory.

Yours truly,

Acting Chairman.

BIRTH AFFIDAVIT.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation, of Blanch Blue (Here insert name of child.), born on the 31 day of March, 1903.

Name of Father: G. W. Mattock a citizen of the Choctaw Nation.

Name of Mother: Alice Mattock citizen of the Choctaw Nation.

Postoffice Tuskahoma.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Southern District.

I, Alice Mattock, on oath state that I am 37 years of age and a citizen, by blood, of the Choctaw Nation; that I am the lawful wife of G. W. Mattock, who is a citizen, by Marriage, of the Choctaw Nation; that a Male female child was born to me on the 31 day of March 1903 that said child has been named Blanch Blue, and is now living.

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this ..... day of 190 .

NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, [illegible] District.

I, R. C. Hannah, Physician, on oath state that I attended on Mrs. Alice Mattock wife of G. W. Mattock on the 31 day of March, 1903 that there was born to her on said date a Male female child; that said child is now living and is said to have been named Blanch Blue

R. C. Hannah M. D.

WITNESSES TO MARK

(Must be Two Witnesses) Tho. Spearman, J. D. Hail

Subscribed and sworn to before me this 29 *day of* August 1903.

W. M. Bullen

NOTARY PUBLIC

Choc 5230 Robert C. Petty

#4-5-6 Dismissed Nov 17, 1904

#2 Dismissed Dec 3, 1904

5230

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for enrollment as a citizen by intermarriage of the Choctaw Nation of:

Carrie Petty 7-5230.

Commission to the Five Civilized Tribes,

Durant, Indian Territory.

In the enrollment of Clatie K. Petty as a Choctaw; Robert C. Petty being sworn and examined by Com'r McKennon testifies:

Q What is your name? A Robert C. Petty.

Q How old are you? A Twenty-nine years old.

Q You were admitted by the United States Court at South McAlester August 26th 1897, as a citizen by blood were you? A Yessir.

Q Was your wife also admitted? A Yes sir

Q As an intermarried citizen? A Yes sir.

Q You say you have a child born to you,- what's its name?

A Her name is Clatie K.

Q What is the date of her birth? A February 5th 1899.

Interior

Com- ... Tribes.

I hereby ... that oath as

Stenographer to ... for that this

transcript is ... transcription of

... ographic ...

M D Owens

N.T.

7-5230.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Carrie Petty as a citizen by intermarriage of the Choctaw Nation.

----oOo----

It appears from the records of the Commission that on September 8, 1896 in the case entitled "Edmund J. Petty, et al., vs. Choctaw Nation" (1896 Choctaw Citizenship Docket, case number 562) original application was made to the Commission, under the provisions of the act of Congress approved June 10, 1896 (29 Stat., 321), for admission as a citizen by intermarriage of the Choctaw Nation of the applicant Carrie Petty (nee Wharton), and on December 2, 1896 said Carrie Petty was by this Commission denied admission as a citizen by intermarriage of the Choctaw Nation. From this decision of the Commission appeal was taken to the United States Court for the Central District of Indian Territory, which court in the case entitled "Edmond J. Petty, et al., vs. Choctaw Nation" (Citizenship Case number 22) reversed the decision of the Commission denying said Carrie Petty admission to citizenship in the Choctaw Nation and admitted said applicant as a citizen by intermarriage of said nation. It further appears from the records in the possession of the Commission that on December 17, 1902 the Choctaw and Chickasaw Citizenship Court, created by the provisions of the act of Congress approved July 1, 1902 (32 Stat., 641), "set aside, annulled, vacated and held for naught" the aforesaid judgment of the United States Court for the Central District of Indian Territory. Said cause has not been appealed or certified to the said Choctaw and Chickasaw Citizenship Court for a trial de novo within the time prescribed by the provisions of said act of Congress approved July 1, 1902.

In accordance with the opinion of the Acting Attorney General dated May 9, 1904 (I.T.D. 3824-1904) and the opinion of the Assistant Attorney General for the Department of the Interior dated July 30, 1904 (I.T.D. 5246-1904) the Commission to the Five Civilized Tribes is without authority to take any action of any character looking to the enrollment of Carrie Petty as a citizen by intermarriage of the Choctaw Nation and it is, therefore, hereby ordered that the appli-

cation for the enrollment of Carrie Petty as a citizen by intermarriage of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Chairman.

Muskogee, Indian Territory,

DEC 3 1904

COPY.

Muskogee, Indian Territory, December 8, 1904.

Carrie Petty,

Nelson, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes dated December 8, 1904, dismissing your application for enrollment as a citizen by intermarriage of the Cherokee Nation.

Respectfully,

SIGNED
Tams Bixby

Chairman.

Registered.

Encl. 7-8230.

7-8230

COPY.

Muskogee, Indian Territory, December 3, 1904.

Mansfield, McMurray and Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission, dated December 3, 1904, dismissing the application for the enrollment of Carrie Petty as a citizen by intermarriage of the Choctaw Nation.

Respectfully,

(SIGNED)

Tams Bixby

Chairman.

Incl. 7-8230.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment as citizens by blood of the Choctaw Nation of-

ETHEL PETTY, ET AL. 7-8230.

(Court Case) 275

...ation of Robert C. Petty and others.

Robert C. Petty says:

Carrie was admitted by intermarriage. Ethel was born October 15th 1896 .

I have been living in the Choctaw Nation since 1889 . I have lived a part of the time in the Chickasaw Nation.

Tishomingo, Sept. 23 1898.

Robert C. Petty
Carrie Petty
Luther Petty
Ethel Petty

enrolled.

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation, of Indian Territory, born on the 5th day of June, 1879.

Name of father: Robert L. Petty, a citizen of the Cherokee Nation.

Name of mother: Carrie L. Petty, a citizen of the Cherokee Nation.

Post Office: Warren I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District.

I, Carrie L. Petty, on oath, state that I am over 21 years of age and a citizen, by Marriage, of the Cherokee Nation; that I am the lawful wife of Robert L. Petty who is a citizen, by Blood, of the Cherokee Nation: that a girl child was born to me on the 5th day of June, 1899; that said child has been named Mattie L. Petty, and is now living.

Carrie L. Petty

Subscribed and sworn to before me this 8th day of July, 1899.

J. C. Wright

Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District.

I, J. Vincent Hallock, a Midwife, on oath, state that I attended on Mrs. Carrie L. Petty, wife of Robert L. Petty on the 5th day of June, 1899; that there was born to her on said date a girl child; that said child is now living and is said to have been named Mattie L. Petty.

J. Vincent Hallock

Subscribed and sworn to before me this 8th day of July, 1899.

J. C. Wright

Notary Public.

CHOCTAW. 1r

INDEXED

IN RE

Application for Enrollment of

INFANT CHILD

Lael J. Petty

as a citizen of the

Choctaw Nation.

APR 8 1902

Approved, 190

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
APR 8 1902

Acting Chairman.

CHOC AR.
5230

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of Joel J. Petty (Here insert name of child), born on the 26 day of Jan, 1902

Name of Father: Robert C. Petty, a citizen of the Choctaw Nation.

Name of Mother: Carrie Petty, a citizen of the Choctaw Nation.

Post-office, Marsden I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY. } Southern District.

I, Carrie Petty, on oath state that I am 31 years of age and a citizen, by Marriage, of the Choctaw Nation; that I am the lawful wife of Robert C Petty, who is a citizen, by Blood, of the Choctaw Nation; that a Male (male or female) child was born to me on the 26 day of Jan 1902; that said child has been named Joel J Petty, and is now living.

Carrie Petty

WITNESSES TO MARK:

(Must be Two Witnesses.) { E W Matlock, Ed Petty

Subscribed and sworn to before me this 3 day of April 1902

W. M. Boller NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY. } Southern District.

I, Lydia Raines, a Midwife, on oath state that I attended on Mrs. Carrie Petty, wife of Robert C. Petty, on the 26 day of Jan, 1902; that there was born to her on said date a Male (male or female) child; that said child is now living and is said to have been named Joel J Petty

Lydia her x Raines mark

WITNESSES TO MARK.

(Must be Two Witnesses.) { E W Matlock, Ed Petty

Subscribed and sworn to before me this 3 day of April 1902

W. M. Boller NOTARY PUBLIC.

7-5230.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment Ethel Petty, Clatie K. Petty and Toel J. Petty as citizens by blood of the Choctaw Nation.

The applicants, Ethel Petty, Clatie K. Petty and Toel J. Petty, claim the right to enrollment as citizens by blood of the Choctaw Nation through their father, Robert C. Petty.

The right of the applicants' father, Robert C. Petty, to citizenship in the Choctaw Nation having been adversely determine by a decree of the Choctaw and Chickasaw Citizenship Court on October 20, 1904, in case number 96 upon the South McAlester docket of said court, it is hereby ordered that the application of Ethel Petty, Clatie K. Petty and Toel J. Petty for enrollment as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Muskogee, Indian Territory,
NOV 12 1904

Choctaw 5230

COPY.

Muskogee, Indian Territory, November 12, 1904.

Robert C. Petty,

Folsom, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated November 12, 1904, dismissing the application for the enrollment of your minor children, Ethel Petty, Clatie K. Petty and Teel J. Petty as citizens by blood of the Choctaw Nation.

Respectfully,

SIGNED

James Dixby

Chairman.

Registered.

Incl. 7-5230.

Choctaw 8236

COPY.

Muskogee, Indian Territory, November 13, 1904.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission, dated November 12, 1904, dismissing the application for the enrollment of Ethel Petty, Clatie K. Petty and Toel J. Petty as citizens by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

Tams Bixby

Chairman.

Incl. 7-5230

Choc 5231 Amanda P. Stracner

2-3 Dismissed Nov 12, 1904

5231

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the applications of Garland Jackson Stracner and Otto Carry Stracner for enrollment as citizens by blood of the Choctaw Nation.

7-5231.

CHOCTAW. INDEXED

20

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enec

IN RE

Application for Enrollment of

INFANT CHILD

Garland Jackson Stracner.

as a citizen of

Choctaw Nation.

Approved JAN -8 1902 190

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
JAN 8 1902

ACTING CHAIRMAN.

CHOCTAW.

#5231.

BIRTH AFFIDAVIT. 20

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Garland Jackson Stracner, born on the 10th day of December, 1900
(Here insert name of child)
Name of Father: L. C. Stracner, a citizen of the United States Nation.
Name of Mother: Amanda P. Stracner, a citizen of the Choctaw Nation.
Post-office, Marsden, Ind. Ter.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
(INDIAN TERRITORY.)
Southern District.

I, Amanda P. Stracner, on oath state that I am 33 years of age and a citizen, by blood, of the Choctaw Nation; that I am the lawful wife of L. C. Stracner, who is a citizen, by ——, of the United States Nation, that a male (male or female) child was born to me on the 10th day of December, 1900; that said child has been named Garland Jackson Stracner, and is now living.

Amanda P. Stracner

WITNESSES TO MARK
(Must be Two Witnesses)
Alice Matlock
A. D. Harris

Subscribed and sworn to before me this 18 *day of* June, 1901.

W. M. Boller
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
(INDIAN TERRITORY.)
Southern District.

I, A. Y. Easterwood, a physician, on oath state that I attended on Mrs. Amanda P. Stracner wife of L. C. Stracner, on the 10th day of December, 1900; that there was born to her on said date a male (male or female) child; that said child is now living and is said to have been named Garland Jackson Stracner.

A. Y. Easterwood, M.D.

WITNESSES TO MARK
(Must be Two Witnesses)
Alice Matlock
A. D. Harris

Subscribed and sworn to before me this 18 *day of* June, 1901.

W. M. Boller
NOTARY PUBLIC.

CHOCTAW. 30 INDEXED

IN RE

Application for Enrollment of

INFANT CHILD

J. C. Stracner

as a citizen of

Choctaw Nation.

Approved, SEP 19 1902 190

Commissioner.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
SEP 19 1902

ACTING CHAIRMAN.

CHOCTAW.
5231

BIRTH AFFIDAVIT. 20

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Otto Carey Stracner (Here insert name of child), born on the 20 day of August, 1902
Name of Father: L C Stracner, a citizen of the Choctaw Nation.
Name of Mother: M P Stracner a citizen of the Choctaw Nation.
Post-office, Marsden I T

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Southern District.

I, Mandy Pauline Stracner, on oath state that I am 34 years of age and a citizen, by blood, of the Choctaw Nation; that I am the lawful wife of Louis C Stracner, who is a citizen, by Marriage, of the Choctaw Nation; that a Male (male or female) child was born to me on the 20 day of August 1902 that said child has been named Otto Carey Stracner, and is now living.

WITNESSES TO MARK: Mandy Pauline Stracner
(Must be Two Witnesses) Carrie Petty
Alice Matlock

Subscribed and sworn to before me this 15 day of Sept. 1902

W. M. Bollin NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Southern District.

I, Wm Eastmond, a Physician, on oath state that I attended on Mrs. Mandy Pauline Stracner, wife of L C Stracner, on the 20th day of Aug. 1902, ; that there was born to her on said date a Boy (male or female) child; that said child is now living and is said to have been named Otto Carey Stracner.

WITNESSES TO MARK: Wm Eastmond M.D.
(Must be Two Witnesses) Carrie Petty
Alice Matlock

Subscribed and sworn to before me this 15 day of Sept. 1902

W. M. Bollin NOTARY PUBLIC.

7-5231.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Garland Jackson Stracner and Otto Carry Stracner for enrollment as citizens by blood of the Choctaw Nation.

The applicants, Garland Jackson Stracner and Otto Carry Stracner, claim the right to enrollment as citizens by blood of the Choctaw Nation through their mother, Amanda P. Stracner.

The right of the applicants' mother, Amanda P. Stracner (as Amanda P. Petty) to enrollment as a citizen by blood of the Choctaw Nation having been adversely determined by a decree of the Choctaw-Chickasaw Citizenship Court of October 20, 1904, in case numbered 96 upon the South McAlester Docket of said Court, it is hereby ordered that the applications of Garland Jackson Stracner and Otto Carry Stracner, for enrollment as citizens by blood of the Choctaw Nation, be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Muskogee, Indian Territory,

NOV 12 1904

Choctaw 5231

COPY.

Muskogee, Indian Territory, November 12, 1904.

Amanda P. Straconer,

Marsden, Indian Territory,

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated November 12, 1904, dismissing the application for the enrollment of your minor children, Garland Jackson Straconer and Otto Carry Straconer as citizens by blood of the Choctaw Nation.

Respectfully,

SIGNED

Tams Bixby

Chairman.

Registered.

Incl. 7-5231.

Choctaw 5231

COPY.

Muskogee, Indian Territory, November 12, 1904.

J. G. Ralls,

Attorney at Law,

Atoka, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated November 12, 1904, dismissing the application for the enrollment of Garland Jackson Straoner and Otto Carry Straoner as citizens by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

Tams Bixby

Chairman.

Registered.

Incl. 7-5231.

Choctaw 3431

COPY.

Muskogee, Indian Territory, November 12, 1904.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission dated November 12, 1904, dismissing the application for the enrollment of Garland Jackson Straoner and Otte Carry Straoner as citizens by blood of the Choctaw Nation.

Respectfully,

SIGNED

Tams Bixby

Chairman.

Incl. 7-5231.

Choctaw Court Card C.276.

IN RE application of Amanda P. Strasner.

Sworn by Commissioner McKennon,
Amanda P. Strasner says:

I was admitted as "Amanda P. Petty".
I was married September 16th 1896 to Louis Strasner.
I have been living in the Choctaw Nation until last year. I lived a while in the Chickasaw Nation and have now moved back to the Choctaw Nation.

Tishomingo, Sept. 28 1898.

Amanda P. Strasner

enrolled.

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In re application for enrollment as a citizen of the Choctaw Nation, of Garland Jackson Stracner, born on the 10th day of December 1900.

EXPLANATORY AFFIDAVIT OF MOTHER.

United Stated of America. :
Central District : SS
Indian Territory. :

On this day personally appeared before me, the undersigned authority, Mrs. Amanda P. Stracner, who, having been by me first duly sworn according to law, states on her oath, that she is 33 years of age, that her last birthday was on the 11 day of May, 1901.

Affiant states that she is the lawful wife of L. C. Stracner, and that she is the identical person named in the Judgment, rendered August 25th, 1897, in case No. 22, in the United States Court at South McAlester; and that she was, by said judgment, admitted to citizenship in the Choctaw Nation, as Amanda P.Patty; Affiant further states that she appeared before the Commission to the Five Civilized Tribes, on the 28th day of September, 1898, to be enrolled by said Commission, and that she was listed for enrollment as Amanda P. Stracner. Affiant states that, if in fact, the Commission understood her to state that she was thirty yours of age there is a misunderstanding, and that, in fact, she is only 33 years of age. Affiant further states that she desires a correction made as to her age by the Commission, and that she be enrolled as 33 years of age. Further affiant sayeth not.

Amanda P. Stracner

[redacted]

Subscribed and sworn to before me, this 14 day of June, 1901.

W. M. Butler

Notary Public, for the

Southern District, Ind. Ter.

Before the Commission to the Five Civilized Tribes.

In the Matter of the Application of :
Graland Jackson Stracner, infant, : Affidavit of Minister
to be enrolled as a Choctaw by Blood :

On this day personally appeared before me the undersigned authority, J T Crawford, who having been by me first duly sworn according to law states that he is a minister of the Gospel and was such at the time he performed the marriage ceremony between L.C.Stracner and Miss M.P.Pettys, and that he performed said ceremony at Boggy Depot in the Choctaw Nation, Ind.Ter. on the 18th day of September 1896. That after he had performed said marriage ceremony he filled out the marriage certificate attached to the license and signed the same, and then mailed same to the Clerk of the U.S.Court at South McAlester, Ind.Ter. at which place the said license was issued. That he did not make out any seperate marriage certificate.

Affiant further states that he is not related to the parties and has no interest in the matter.

J T Crawford

Subscribed and sworn to before me this the 14th day of May 1901.

H R Kinyard
Notary Public for the
Southern District, Ind.Ter.

Before the Commission to the Five Civilized Tribes,

In the Matter of the Application of :
Garland Jackson Stracner, infant, : Affidavit of Father.
to be enrolled as Choctaw by Blood :

On this day personally appeared before me the undersigned authority L.C.Stracner, who having been by me first duly sworn, states on his oath that he is 29 years old, and a white man. That on the 16th day of September 1896, he was married to Miss M.P.Petty a Choctaw Indian woman That said marriage ceremony was performed by J.F. Crawford, a minister of the Gospel, at Boggy Depot in the Choctaw Nation, Ind.Ter. That the Marriage license under which he was married was issued by the Clerk of the U.S.Court for the Central District of the Indian Territory on the 15th day of September 1896, and that at the time of said marriage said J.F. Crawford had said marriage license in his possession, and never returned them to the affiant, but informed the affiant that he would fill out the certificate and mail to the Clerk of the U.S.Court at South McAlester, I.T. Affiant states that the said license has never been returned to him and that he has made dilligent search and inquiry and is not able to find the same.

L.C.Stracner

Subscribed and sworn to before me this the 11th day of May 1901.

J.W.Langford
Notary Public, Central District, Ind.Ter.

C O P Y (Letter)

Marydow, L. T., Sept, 6, 1904.

Hon. A. S. Wiggerman,

Dear

Not long since I addressed a letter to The Hon. Jas. H. Berry in regard to some frauds perpetrated and in his reply he said it was my duty to inform you. There is a family here who say they are on your rolls as widows and intimate that they got there by fraud; say they manipulated their witnesses in Courts And could get any man on the roll with thirty dollars for manipulation purposes. We all know they have no legal right; there was a letter written to a daughter in Brown Co. Tex to send Pan ten dollars at once as the Government demands two more witnesses and we can hire them for that Amount; the ten dol. came as requested. Parties are here who read the above named letter.

Their names are

Old Man Petty
John Petty
Charles Petty
Robt Petty
Geo. Petty

Send in law are
George Matlock
Lewis Streamer

Hoping to hear from you by return mail, I remain

As ever,

(Signed) F. C. Boucher.

(Pettys are on cards C 273-6) Louisa Matlock on C 274; Amanda Streamer on card C 275)

Muskogee, Indian Territory, June 3, 1901.

Mr. J. S. Ellis,
Attorney at Law,
Atoka, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 30th of May enclosing the application for enrollment as a citizen of the Choctaw Nation of Garland Jackson Streamer, the infant son of L. C. and M. E. Streamer, born December 10, 1900. Also the affidavits of J. T. Crawford and L. C. Streamer as to the marriage on the 16th of September, 1896, of L. C. Streamer and Miss M. P. Petty. The affidavits have been duly filed with the records of the Commission and the application for the enrollment of the child is returned to you herewith for additional information and correction.

It appears that the mother of this child was listed for enrollment by the Commission as a citizen of the Choctaw Nation September 20, 1899, under the name of Amanda P. Streamer in pursuance of a judgment of the United States Court for the Central District of the Indian Territory, rendered August 28, 1897 in court cause No. 22; that she was so admitted to citizenship under her maiden name of Amanda P. Petty.

In order that the application for the enrollment of this child, Garland Jackson Streamer may conform with our records there is enclosed you herewith a new application which you will have the

[illegible] and [illegible] of the child properly
[illegible] and return to this office in line of
the new regulations inclosed.

Her records show that at the time of Bessie P. Shumaker's application for enrollment, her age was given as thirty years while in her affidavit of January 28, 1908, she states her age to be 28 years. You will note that in the new application enclosed you that her age is left blank. Please have her fill in this blank and state her proper age and if it is only 28 have her make affidavit to the fact that an error was made in her statement at the time of her application for enrollment in 1898.

Upon receipt of the new application in proper form, the matter of the [redacted] of this child will receive proper consideration.

Yours truly,

Acting Chairman.

Enc 4.
7-0821

Muskogee, Indian Territory, January 8, 1902.

Joseph C. Kelly,
Attorney at Law,
Atoka, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 6th instant, enclosing the application for enrollment as a citizen of the Choctaw Nation of Garland Jackson Strasmer, the infant son of L. C. and Amanda P. Strasmer, born December 10, 1900, and also enclosing affidavit of Amanda P. Strasmer as to her correct age.

The affidavit of Amanda P. Strasmer as to her correct age has been duly filed and the application for the enrollment of Garland Jackson Strasmer, being in proper form, has also been duly filed and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Commissioner in Charge.

W-2021

Muskogee, Indian Territory, January 8, 1908.

L. C. Stranner,

Marietta, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Harland Jackson Stranger, the infant son of L. C. and Amanda P. Stranner, born December 10, 1906, and the same being in proper form, has been duly filed with the records of this office and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Commissioner in Charge.

Y-6251

9-0021.

Muskogee, Indian Territory, September 20, 1902.

L.C. Stracner,

Meredan, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Otto Carey Stracner, infant son of L.C. and N.P. Stracner, born August 20, 1902; and the same being in proper form has been duly filed with the records of the Commission, and the child listed for enrollment as a citizen of the Choctaw Nation.

Respectfully,

Acting Chairman.

Choc 5232 Nicholas J. Mickle

5232

w Court Car[illegible] 0. 277

[illegible] of Nicholas J. M ickle and others.

Nicholas J. Mickle says:

I was admitted by intermarriage. I was admitted as "Nicholas Mickle"

Statement by Attorney Treadwell:

The father of this applicant married Choctaw woman in about 1850. This [illegible] woman died. He afterwards married a white woman , Mrs. McSwinney. This man is a son of that marriage.

Nicholas J. Mickle further says:

My wife Nora was a U.S. citizen. I have been living in the Choctaw and Chickasaw Nations, and my wife has also been living here .

Tishomingo, Sept. 29 1898.

Nicholas J. Mickle
Nora Mickle
Lawrence Mickle
John Mickle

enrolled.

Cloc 5233 william mickle

5233

Choctaw Court Card C.278

Application of William Mickle.

William Mickle says:

I am brother of Nicholas J. Mickle, by the same mother.

(See Choctaw Court Card testimony, C.277)

I have been living in the Nation continuously all my life.

William Mickle Tishomingo. Sept. 29 1898.

enrolled.

Cloc 5234 Julius M. Leard

#5-6 Dismissed Jan 24, 1885
See petition # C-130
Duplicate record bound

5234

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the application for the enrollment as citizens by blood of the Choctaw Nation of-

Barney Edward Leard
David Leard

7-5234.

COPY. Choctaw 5234.

Muskogee, Indian Territory, January 24, 1905.

Julius M. Leard,

Norton, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated January 24, 1905, dismissing the application for the enrollment of your children, Barney Edward Leard and David Leard, as citizens by blood of the Choctaw Nation.

Respectfully,

SIGNED

Tams Bixby

Chairman.

Registered.

Incl. 7-5234.

COPY. Choctaw 5234.

Muskogee, Indian Territory, January 24, 1905.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission dated January 24, 1905, dismissing the application for the enrollment of Barney Edward Leard and David Leard as citizens by blood of the Choctaw Nation.

Respectfully,

SIGNED

Tams Bixby

Chairman.

Incl. 7-5234.

Muskogee, Indian Territory, July 11, 1900.

Mr. Julius M. Leard,

Norton, Indian Territory,

Dear Sir:

The Commission is in receipt of the application for enrollment as a citizen of the Chickasaw Nation of Barney Edward Leard, the infant son of Eugenia and Julius M. Leard. The records of the Commission show that you and your three children have been listed for enrollment as citizens of the Choctaw Nation, pursuant to a judgment of the United States Court for the Central District of the Indian Territory, at South McAlester, rendered January 19th, 1900, in court case Number 101, and the application for enrollment of Barney Edward Leard is herewith returned to you, and a new blank is sent, for the purpose of having the error corrected.

The mother of the three children listed for enrollment by this Commission is Mary C. Leard. Kindly advise the Commission the date of the death of Mary C. Leard, and also furnish a certified copy or the original marriage license and certificate between you and Eugenia Leard. Upon receipt of the corrected application and the information herein asked for, the matter of the enrollment of Barney Edward Leard will receive further consideration.

COMMISSIONERS
HENRY L. DAWES,
TAMS BIXBY,
C. R. BRECKINRIDGE,
THOMAS B. NEEDLES.

ALLISON L. AYLESWORTH,
SECRETARY.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

DEPARTMENT OF THE INTERIOR,

2-11.

In reply to this letter,
Please refer to 7-5234

Acting Chairman.

Certificate of Record of Marriage.

UNITED STATES OF AMERICA,)
THE INDIAN TERRITORY,) sct.
SOUTHERN DISTRICT.)

I, C. M. CAMPBELL, Clerk of the United States Court in the Territory and District aforesaid, DO HEREBY CERTIFY, that the License for, and Certificate of Marriage of Mr. J. M. Lard and M Linda Hunt were filed in my office in said Territory and District the 8 day of Feby A. D. 189 9, and duly recorded in Book E of Marriage Record, page 97.

WITNESS my hand and seal of said Court, at Ardmore, this 16 day of Feby A. D. 189 9.

C. M. Campbell CLERK.

ARDMOREITE JOB PRINT, ARDMORE, I. T.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
AUG 6 1900

ACTING CHAIRMAN.

FILED
FEB 8 1899 A.M
C. M. CAMPBELL, Clerk



MARRIAGE LICENSE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
SOUTHERN DISTRICT. } ss. **To Any Person Authorized by Law to Solemnize Marriage—Greeting:**

You Are Hereby Commanded, *To solemnize the Rite and publish the* **BANNS OF MATRIMONY** *between*

Mr J M Leard, of Norton
in the Indian Territory, aged 29 years, and
Miss Ludie Hunt, of Norton
in the Indian Territory, aged 18 years,
according to law; and do you officially sign and return this License to the parties therein named.

Witness my hand and official seal, this 3rd *day of* Feby *A. D. 1899*

C M Campbell
Clerk of the United States Court

Certificate of Marriage.

UNITED STATES OF AMERICA,
THE INDIAN TERRITORY,
SOUTHERN DISTRICT, } ss.

I, J C Donald, a Minister

do hereby certify, that on the 5 day of F A. D. 189 9. I did duly, and according to law, as commanded in the foregoing License, solemnize the Rite and publish the Banns of Matrimony between the parties therein named.

WITNESS my hand, this 5 day of F A. D. 189 9

My credentials are recorded in the office of the Clerk of the United States Court, Indian Territory, Southern District, at Ardmore, Book A Page 72

J C Donald
A Minister of the Gospel

NOTE (a)—This License and Certificate of Marriage must be returned to the office of the Clerk of the United States Court in the Indian Territory, at Ardmore, within sixty days from the date thereof, or the party to whom the License was issued will be liable in the amount of One Hundred Dollars ($100).

NOTE (b)—No person is authorized to perform the marriage ceremony in the Southern District, unless the proper credentials have first been recorded in the Clerk's office at Ardmore.

W.C.P.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

6- 130
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23- 992.
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In the matter of the application for the enrollment of THOMAS P. LEWIS, et al, as citizens by blood and intermarriage of the Choctaw Nation.

RECITALS.

It appears from the records in the possession of the Commissioner to the Five Civilized Tribes that application was made to the Commission to the Five Civilized Tribes at Calvin, Indian Territory, August 7, 1899, by Thomas P. Lewis for the enrollment of himself, his children, Lawrence Lewis, Laura Lewis, Anthe L. Lewis, and Oscar Lewis as citizens by blood of the Choctaw Nation and for the enrollment of his wife, Augusta M. Lewis, as a citizen by intermarriage of the Choctaw Nation; the census card record shows that on the same date application was made by Zora P. Lewis for the enrollment of herself as a citizen by blood of the Choctaw Nation; that on the same date application was made by Edward M. Lewis for the enrollment of himself and children, Gail R.Lewis, Edward M. Lewis and Zora A. Guyer as citizens by blood of the Choctaw Nation and for the enrollment of his wife, Sarah E. Lewis, as a citizen by intermarriage of the Choctaw Nation; that on July 16, 1900, written application was filed for the enrollment of Lindly Blaine Guyer and on June 7, 1902, application was filed for the enrollment of Edith May Guyer; on September 24, 1902, application was filed for the enrollment of Fielding Lewis Guyer, minor child of William H. Guyer and Zora A. Guyer, as citizens by blood of the Choctaw Nation; that on August 7, 1899, application was made to the Commission to the Five Civilized Tribes by Edward M. Lewis for the enrollment of Sarah J. McKibben and her children, George L. McKibben, Cassie O. McKibben, Claude McKibben, Thomas P. McKibben and Grant McKibben as citizens by blood of the Choctaw Nation; that on the same date application was made by Lydia Clark to the Commission to the Five Civilized Tribes for the enrollment of herself as a citizen by blood of the Choctaw Nation; that on the same date application was made to the Commission to the Five Civilized Tribes by Virgil Cowart for the enrollment of himself as a citizen by blood of the Choctaw Nation and for the enrollment of his wife, Anna Cowart, as a citizen

by intermarriage of the Choctaw Nation; that on September 2, 1898, application was made by Marshall Cowart for the enrollment of himself and his brothers, Samuel P. Cowart and George V. Cowart, as citizens by blood of the Choctaw Nation; that application was made to the Commission to the Five Civilized Tribes at Calvin, Indian Territory, during the month of August, 1899, by Lucy Adams, for the enrollment of herself and her minor children, Mabel Adams and Earnest P. Adams, as citizens by blood of the Choctaw Nation; that on February 24, 1902, written application was filed for the enrollment of Ida Vadis Adams, minor child of said Lucy Adams and A. W. Adams as a citizen by blood of the Choctaw Nation; that on August 7, 1899, application was made to the Commission to the Five Civilized Tribes by Zora E. Early for the enrollment of herself and her daughter, Nellie Early, as citizens by blood of the Choctaw Nation; that on June 14, 1901, written application was filed for the enrollment of Albert Clarence Goodwin, minor child of Nellie Goodwin, nee Early, and John Goodwin as a citizen by blood of the Choctaw Nation; that on September 2, 1898, application was made to the Commission to the Five Civilized Tribes by Joseph H. Leard for the enrollment of himself, Madison Leard, Jack Leard, Maud Early and Hugh Early as citizens by blood of the Choctaw Nation and for the enrollment of his wife, Nellie Leard, as a citizen by intermarriage of the Choctaw Nation; that on February 28, 1901, written application was filed for the enrollment of Frank David Leard, minor child of Madison Leard and Eliza Leard as a citizen by blood of the Choctaw Nation; that on August 29, 1901, written application was filed for the enrollment of Elihu Venable, minor child of John Venable and Maud Venable as a citizen by blood of the Choctaw Nation; that on June 14, 1899, application was made to the Commission to the Five Civilized Tribes, at Spiro, Indian Territory, by Olivia Pryor for the enrollment of herself and her minor children, Kyle Douglass, Henry Jordan, Rhoda Jordan, Zora Jordan, George Pryor, James Pryor, Mary K. Pryor and Sallie O. Pryor as citizens by blood of the Choctaw Nation; that on August 18, 1900, written applications were filed for the enrollment of Vernon Pryor and Earl Pryor, minor children of said Olivia Pryor and S. V. Pryor as citizens by blood of the Choctaw Nation; that on September 2, 1898, application was made to the Commission to the Five Civilized Tribes at Calvin, Indian Territory, by Angeline Tabor for the enrollment of herself and herminor children, Willie Tabor, Ben Tabor and Herschel L. Tabor as citizens by blood of the Choctaw Nation; that on March 1, 1901, written application was filed for the enrollment of Ruthe Adams, minor child of Angeline Tabor, (now Adams) and J. J. Adams, and on August 7, 1902, written application was filed for the enrollment of Leona Tabor, minor child of Angeline Tabor and Sherman Tabor as citizens by blood of the Choctaw Nation; that on September 29, 1898, application was made to the Commission to the Five Civilized Tribes at Tishomingo, Indian Territory, by Julius M. Leard for the enrollment of himself and his minor children, Frank Leard, Sudie Leard and Nannie Leard as citizens by blood of the Choctaw Nation; that on August 6, 1900, written application was filed for the enrollment of Barney Edward Leard and on November 1, 1901, written application was filed for the enrollment of David Leard, minor children of Sudie Leard and Julius M. Leard, as citizens by blood of the Choctaw Nation; that on June 14, 1899, application was made to the Commission to the Five Civilized Tribes at Spiro, Indian Territory, by Ophelia S. Edwards for the enrollment of herself and children, Charles Edwards, Lula J. Edwards, Martha J. Edwards, David L. Edwards and Luther W.

Edwards as citizens by blood of the Choctaw nation; that on August 5, 1899, application was made to the Commission to the Five Civilized Tribes at Wartsborne, Indian Territory, by Joseph M. Edwards for the enrollment of himself as a citizen by intermarriage of the Choctaw Nation.

It further appears from the records in the possession of the Commissioner to the Five Civilized Tribes that application was made on September 9, 1896, for the admission of certain of the applicants as citizens of the Choctaw nation which under the provisions of the Act of Congress approved June 10, 1896 (29 Stats., 321), the names of the applicants herein appearing in said application as follows: Zora P. Lewis, Edward M. Lewis, Sarah M. Lewis, Gail B. Lewis, Zora A. Lewis, Edward M. Lewis, Thomas P. Lewis, Augusta M. Lewis, Laura A. Lewis, Antha Lewis, Lawrence Lewis, Oscar Lewis, Lydia Clark, Olivia Pryor, Kyle Douglass, Henry Jordan, Rhoda Jordan, Zora Jordan, George Pryor, James Pryor, Mary E. Pryor, Virgil Cowart, Annie Cowart, Samuel P. Cowart, George V. Cowart, Marshal Cowart, Angeline Taber, Willie L. Taber, Henry E. Taber, Herschel L. Taber, Julius M. Leard, Frank A. Leard, Sadie E. Leard, Nannie E. Leard, Maud Early, Hugh M. Early, Joseph H. Leard, Bell Leard, Madison L. Leard, Jackson A. Leard, Sarah Jane McKibben, George Lewis McKibben, Cassie O. McKibben, Claud T. McKibben, Thomas P. McKibben Zora S. Early, nee Lewis, Lucy Adams, nee Early, Nelly O. Early, Mable Adams, Ophelia S. Edwards, Joseph M. Edwards, Charles Edwards, Lula Edwards, Martha J. Edwards and David L. Edwards. The names of George V. McKibben and Preston Early were also included in said application.

On December 4, 1896, the Commission to the Five Civilized Tribes denied the above application from which decision appeal was taken to the United States Court for the Central District of Indian Territory, which Court on January 19, 1898, reversed the decision as to the above applicants and admitted said applicants to citizenship in the Choctaw nation.

Said judgment was subsequently vacated, set aside and held for naught by a decree of the Choctaw-Chickasaw Citizenship Court of December 17, 1902, in the test case of "Choctaw and Chickasaw Nations or Tribes vs. J. T. Riddle, et al".

Said cause as to all the applicants herein except Sarah J. McKibben and Edward M. Lewis was subsequently certified to the Choctaw-Chickasaw Citizenship Court created under the provisions of the Act of Congress approved July 1, 1902 (32 stats., 641), for a trial de novo and on December 3, 1904, in the case entitled "Zora P. Lewis, et al, vs. Choctaw and Chickasaw Nations", said Citizenship Court rendered a judgment wherein it was "ordered adjudged and decreed that the petition of the plaintiffs, Zora P. Lewis, Thomas P. Lewis, Zora S. Early, Olivia Pryor, Gale B. Wooding or Gale B. Lewis or Gail B. Lewis, Marshal Cowart, Virgil Cowart, Amrelina Adams or Angelina Taber or Angeline Taber, Julius M. Leard, Madison Leard or Madison L. Leard, Jack Leard, Maude Early, Hugh Early, Olivia Clark, Lawrence Lewis, Laura Lewis, Lucy Adams, Nellie Goodwin or Nellie Early, George L. McKibbin or George Lewis McKibben, Cassie O. McKibbin or McKibben, Claud McKibbin or McKibben, Thomas P. McKibbin or McKibben, Frank A. Leard, Mabel Adams ... Zora A. Lewis, Edward M. Lewis, Sadie Leard, Nannie Leard, Ben Taber, Herschel Taber, Kyle Douglass or Douglas, Henry Jordan, Rhoda Jordan, Zora Jordan, George Pryor, James Pryor, Mary E. Pryor or Mary E. Pryor. . . Andth L. Lewis or Antha L. Lewis, Oscar Lewis . . . Joseph M. Leard, Sarah M. Lewis, Augusta M. Lewis, Samuel P. Cowart, George V. Cowart, Anna Cowart and Belle Leard be denied and

that they be declared not citizens of the Choctaw nation and not entitled to enrollment as such citizens and not entitled to any rights whatever flowing therefrom".

On the same date said Citizenship Court rendered a judgment in the case of "Preston Barly, et al, vs. Choctaw and Chickasaw nations" wherein it was "ordered, adjudged and decreed that the petition of the plaintiffs, Preston Barly, Joseph M. Edwards, George W. McKibbin or McKibben . . . be denied and that they be declared not citizens of the Choctaw nation and not entitled to enrollment as such citizens and not entitled to any rights whatever flowing therefrom".

On the same date said Citizenship Court rendered a judgment in the case entitled "Ophelia S. Edwards, et al, vs. Choctaw and Chickasaw nations" wherein it was "ordered, adjudged and decreed that the petition of the plaintiffs, Ophelia S. Edwards, David L. Edwards, Charles Edwards, Lula Hayes or Lula Edwards and Martha J. Smith or Martha J. Edwards be denied and that they be declared not citizens of the Choctaw Nation and not entitled to enrollment as such citizens and not entitled to any rights whatever flowing therefrom".

On January 19, 1905, the Commission to the Five Civilized Tribes issued orders dismissing the applications for the enrollment of Earnest P. Adams, Ida Vadis Adams, Frank David Beard, Hilda Venable, Sallie O. Pryor, Vernon Pryor, Earl Pryor, Ruthe Adams, and Leona Tabor. January 21, 1905, said Commission issued orders dismissing the applications for the enrollment of Lindly Blaine Guyer, Edith May Guyer, Fielding Lewis Guyer, Albert Clarence Goodwin and Luther W. Edwards. On January 24, 1905, said Commission issued an order dismissing the applications for the enrollment of Barney Edward Beard and David Beard. Said orders were based on the fact that the rights of the persons through whom the above applicants claim the right to enrollment as citizens of the Choctaw nation have been adversely determined by the Choctaw and Chickasaw Citizenship Court.

On January 26, 1905, said Commission issued an order dismissing the application for the enrollment of Grant McKibben for the reason that the rights of said applicant's brothers and sisters whose status as citizens by blood of the Choctaw Nation was identical with the status of said applicant had been adversely determined by said Choctaw and Chickasaw Citizenship Court.

On the same date said Commission issued orders dismissing the application for the enrollment of Sarah J. McKibben and Edward M. Lewis as citizens by blood of the Choctaw Nation for the reason that the judgment of the United States Court of January 19, 1898, favorable to said applicants had been set aside by a decree of the Choctaw and Chickasaw Citizenship Court on December 17, 1902, and said cause as to said applicants was not certified to the Choctaw and Chickasaw Citizenship Court for a trial denovo.

On June 26, 1906, there was received at the office of the Commissioner to the Five Civilized Tribes a petition praying for the enrollment of the following persons as citizens by blood of the Choctaw nation: Zora P. Lewis, Thomas P. Lewis, Augusta M. Lewis, Lydia Clark, George Clark, Lawrence Lewis, Laura Lewis, Frank Davis, Antha Lewis, Oscar Lewis, Rhoda Cowart, Olivia Pryor, Virgil Cowart, Marshall Cowart, George W. Cowart, Kyle Douglass, Henry Jordan,

Rhoda Jordan, Zora Jordan, George Pryor, James Pryor, Mary E. Pryor, Olivia Pryor, Vernon Pryor, Earle Pryor, Emmett Pryor, Jessie Pryor, William Early, William E. Hays, Cora Bailey, Samuel Douglas, Ethel Douglas, Henry Nunn, Tula Nunn, Zora S. Early, Preston Early, Lucy Adams, A. M. Adams, Nellie Goodwin, John Goodwin, Mabel Adams, Ernest Adams, Vadice Adams, Alvey Adams, Clarence Goodwin, Theodore Goodwin, Susan Early, Angeline Adams, John Adams, Julius Leard, Lydie Leard, Madison L. Leard, Elsie Leard, Jack Leard, Stacie Leard, Joseph E. Leard, Belle Leard, Hugh Early, Maude Venable, John Venable, Willie Tabor, Benjamin Tabor, Herschel L. Tabor, Ruth Adams, Rufus Adams, Frank Leard, Sadie Leard, Nannie Leard, Barnie Leard, Dave Leard, Frank Leard, Roy Leard, Gus Leard, Elihu Venable, Alice Venable, Jewell Venable, Edward M. Lewis, Sarah E. Lewis, Gail Wooding, John L. Wooding, Zora A. Guyer, William E. Guyer, Edward M. Lewis, Clinton L. Wooding, Lindley B. Guyer, Vielding L. Guyer, Edith Guyer, Jessie Lee Guyer, Rosa P. Guyer, Sarah J. McKibben, G. W. McKibben, George Lewis McKibben, Cassie O. McKibben, Claud McKibben, Thomas P. McKibben, Ophelia Edwards, J. M. Edwards, Charles Edwards, Lula Ratteree, Eugene Ratteree, Martha J. Smith, Oscar Smith, David Self, ____Self, and Leeta Ratteree.

It is alleged in the petition that the petitioners are entitled to enrollment under the supervisory authority of the Honorable Secretary of the Interior as members of the Choctaw Nation by virtue of their Choctaw descent and their residence with said tribe.

The following persons mentioned in the petition are identical with the persons for whose enrollment as citizens by blood and intermarriage of the Choctaw Nation application was made under the provisions of the Act of Congress approved June 28, 1898, (30 Stats., 495): Zora P. Lewis, Thomas P. Lewis, Augusta M. Lewis, Lydia Clark, Lawrence Lewis, Laura Lewis, Astha Lewis, Oscar Lewis, Olivia Pryor, Earl Pryor, Virgil Cowart, Marshall Cowart, George V. Cowart, Kyle Douglass, Henry Jordan, Rhoda Jordan, Zora Jordan, George Pryor, James Pryor, Mary E. Pryor, Edward M. Lewis, Sarah E. Lewis, Joseph E. Leard, Belle Leard, Olivia Pryor, Vernon Pryor, Zora S. Early, Lucy Adams, Nellie Goodwin, Mabel Adams, Earnest Adams, Vadice Adams, Clarence Goodwin, Angeline Adams, Julius Leard, Madison L. Leard, Jack Leard, Hugh Early, Maud Venable, Willie Tabor, Benjamin Tabor, Herschel L. Tabor, Ruth Adams, Frank Leard, Sadie Leard, Nannie Leard, Barnie Leard, Dave Leard, Frank Leard, Elihu Venable, Gail Wooding, Zora A. Guyer, Edward M. Lewis, Lindley B. Guyer, Vielding L. Guyer, Edith Guyer, Sarah J. McKibben, George Lewis McKibben, Cassie O. McKibben, Claud McKibben, Thomas P. McKibben, Ophelia E. Edwards, Charles Edwards, Lula Ratteree, Martha J. Smith and J. M. Edwards.

Application was made under the provisions of the Act of Congress approved April 26, 1906 (34 Stats., 137) for the enrollment of the following persons as citizens by blood of the Choctaw Nation: July 20, 1906, Alva Adams, born January 5, 1905, minor daughter of A. M. Adams and Lucy Adams;

July 23, 1906, Theodore Early Goodwin, born January 31, 1905, minor son of John T. Goodwin and Nellie Goodwin;

July 24, 1906, Clinton L. Wooding born June 23, 1905, minor son of John L. Wooding and Gail E. Wooding.

July 20, 1906, Jessie Fay Guyer and Rosa Lee Guyer, born January 4, 1904 and March 22, 1905, respectively, children of J. E. Guyer and Zora A. Guyer.

It is not alleged in the petition that any of the petitioners herein ever occupied such a status as would entitle them to enrollment as citizens by blood or intermarriage of the Choctaw Nation; neither can any of the petitioners be identified with any

of the persons whose names appear on any of the tribal rolls of the Choctaw Nation in the possession of this office.

Section one of the Act of Congress approved April 26, 1906 (34 Stats., 137) provides in part as follows:

"No motion to reopen or reconsider any citizenship case in any of said tribes shall be entertained unless filed with the Commissioner to the Five Civilized Tribes within sixty days after the date of the order or decision sought to be reconsidered except as to decisions made prior to the passage of this Act, in which cases such motion shall be made within sixty days after the passage of this Act".

I am of the opinion that inasmuch as the petition herein was not filed within sixty days after the passage of the Act of April 26, 1906 (34 Stats., 137), I am without authority to receive or consider said petition in so far as same applies to those applicants for whose enrollment application was made under the provisions of the Actof Congress approved June 28, 1898 (30 Stats., 495).

I am, therefore, of the opinion that inasmuch as it does not appear from the records in the possession of the Commissioner to the Five Civilized Tribes that any of the applicants ever occupied such a status as would entitle them to enrollment as citizens by blood and intermarriage of the Choctaw nation, the decisions of the Choctaw and Chickasaw Citizenship Court of December 3, 1904, are final and that the applications for the enrollment of Zora P. Lewis, Zora S. Early, Nellie Early, Thomas P. Lewis, Lawrence Lewis, Laura Lewis, Antha L. Lewis, Oscar Lewis, Lydia Clark, Virgil Cowart, Marshall Cowart, Samuel P. Cowart, George V. Cowart, Julius M. Leard, Frank Leard, Sadie Leard, Nannie Leard, George L. McKibben, Cassie O. McKibben, Claude McKibben, Thomas P. McKibben, Joseph H. Leard, Madison Leard, Jack Leard, Maud Early, now Maud Venable, Hugh Early, Olivia Pryor, Kyle Douglass, Henry Jordan, Rhoda Jordan, George Pryor, James Pryor, Mary K. Pryor, Angeline Adams, formerly Tabor, Willie Tabor, Sam Tabor, Herschel L. Tabor, Zora A. Guyer, Lucy Adams, Mabel Adams, Gail B. Lewis, now Gail B. Wooding, Edward H. Lewis, Zora Jordan, Ophelia S. Edwards, Charles Edwards, Lula J. Patterson, nee Edwards, Martha J. Smith, nee Edwards and David L. Edwards as citizens by blood of the Choctaw Nation should be denied under the provisions of the Act of Congress approved July 1, 1902, (32 Stats., 641) and that the petition herein, in so far as it applies to said applicants, should be dismissed and it is so ordered.

I am further of the opinion that the application for the enrollment of Augusta M. Lewis, Anna Cowart, Sarah E. Lewis, Belle Leard, and Joseph M. Edwards as citizens by intermarriage of the Choctaw Nation should be denied under the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641) and that the petition herein in so far as same applies to said petitioners should be dismissed, and it is so ordered.

I am further of the opinion that the petition herein in so far as same applies to the petitioners Edward M. Lewis, Sarah J. McKibben, Ruth Adams, Leona Tabor, Sallie O. Pryor, Vernon Pryor, Earl Pryor, Frank David Leard, Elihu Venable, Grant McKibben, Barnie Edward Leard, David Leard, Albert Clarence Goodwin, Lindly Blaine Guyer, Edith May Guyer, Fielding Lewis Guyer, Earnest P. Adams, and Ida Vadis Adams, whose applications for enrollment have heretofore been dismissed, should be dismissed, and it is so ordered.

I am further of the opinion that the petition herein in so far as same applies to the petitioners G. W. McKibben, John L.

[redacted] William L. Byer, John Lynch, Belle Lord, [redacted] Frank [redacted] Jessie May Boyer and Ben Lee Boyer and the petition herein in so far as same applies to said applicants should be dismissed, and it is so ordered.

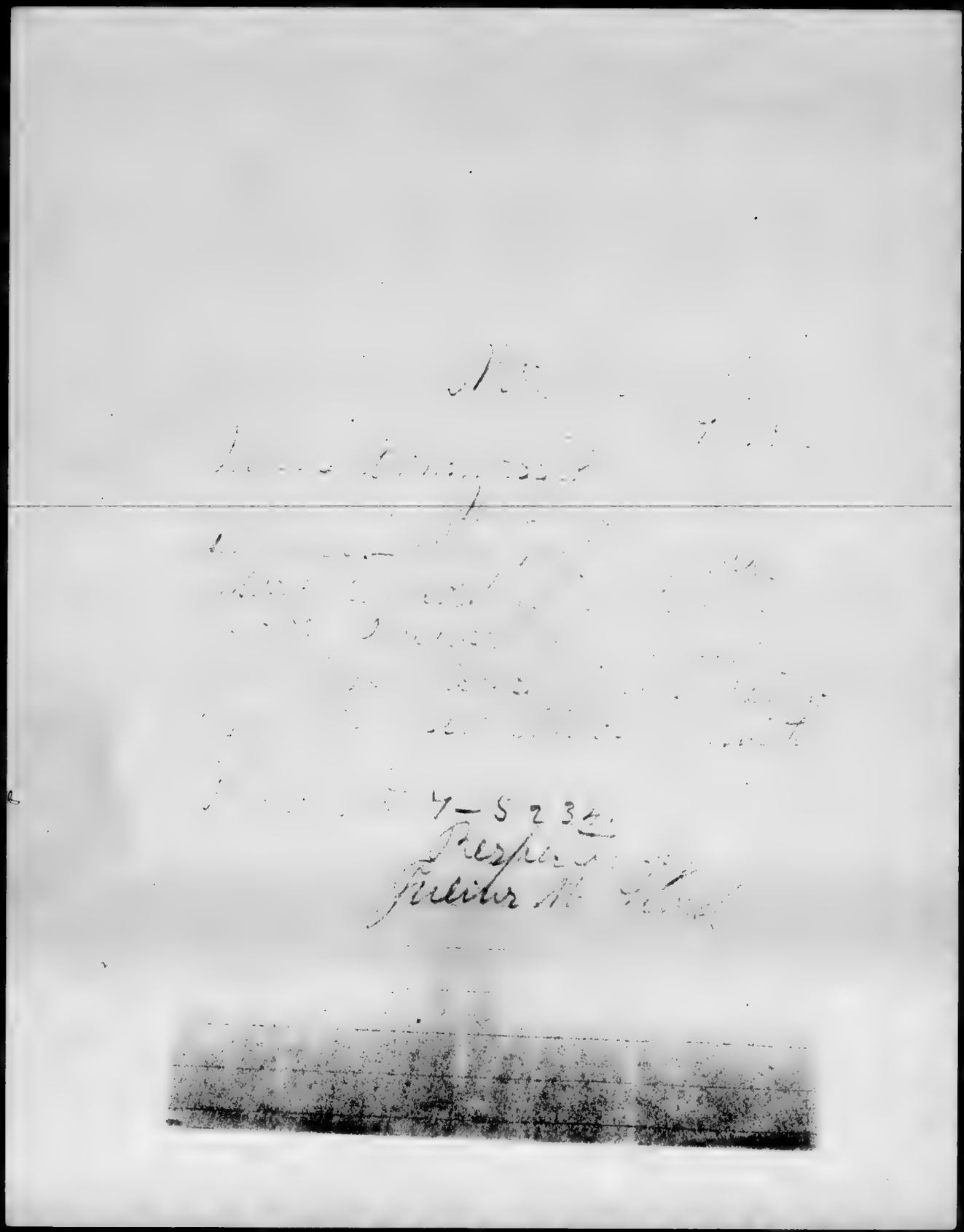
I am further of the opinion that the application filed July 23, 1906 and July 24, 1906, for the enrollment of Alva Sims, Theodore Burly Hamblin, Clifton L. Wooding, Jessie May Boyer and Ben Lee Boyer and the petition herein in so far as same applies to said applicants should be dismissed, and it is so ordered.

(Signed) Tams Bixby,

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory,

Feb 12 1907



Muskogee, Indian Territory, July 12, 1900.

Mr. I. N. Beard,

Norton, Indian Territory,

Dear Sir:

The Commission is in receipt of your letter of July 9th, in which you state that a mistake was made in the application for enrollment of your child, Barney Edward Beard, and it was stated therein that you were a Chickasaw instead of a Choctaw.

You are advised that on July 11th the Commission wrote you returning the application for enrollment of Barney Edward Beard, and giving full particulars in regard to the same, and inclosing therewith a new blank birth certificate.

Yours truly,

7-5234

Acting Chairman.

Muskogee, Indian Territory, August 9, 1906.

Mr. Julius E. Leard,

Norton, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of July 17th, in which you inclose marriage license and certificate between you and Indie Hunt, and state that your former wife, Mary S. Leard, died on December 30th, 1897. The license and certificate have been filed with the records of the Commission.

The Commission is also in receipt of the application for enrollment as a citizen of the Chootaw Nation of Barney Edward Leard, infant son of Indie and Julius E. Leard, and the same, being in proper form, has been duly filed with the records of the Commission.

Yours truly,

Acting Chairman.

7-2834

Muskogee, Indian Territory, November 1, 1901.

J. M. Leard,

Norton, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of David Leard, the infant son of J. M. and Ludie Leard, born September 22, 1901, and the same being in proper form has been duly filed with the records of this office and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Acting Chairman.

7-5234

Choc 5235 W.F. Cobb

#8-9 Dismissed Jan 24, 1905

Dec 5-04

5235

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the application for enrollment as a citizen by blood of the Choctaw Nation of:

WILLIAM ALLEN PAUTSKY 7-5235.

Enc L 41.

20 INDEXED

IN RE

Application for Enrollment of

INFANT CHILD

William Allen Pantely

as a citizen of

Choctaw Nation.

Approved, AUG 21 1901 190

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
AUG 21 1901

ACTING CHAIRMAN.

5238

BIRTH AFFIDAVIT. 20

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of William Allen Pantsky, born on the 2nd day of June, 1901
(Here insert name of child)

Name of Father: J. A. Pantsky, a citizen of the United States Nation.

Name of Mother: Gracie Pantsky, a citizen of the Choctaw Nation.

Post-office, Tishomingo Ind Ter.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Southern District.

I, Gracie Pantsky, on oath state that I am Twenty years of age and a citizen, by blood, of the Choctaw Nation; that I am the lawful wife of J. A. Pantsky, who is a citizen, by ~~the~~ ~~Nation~~, of the ~~Nation~~; that a male (male or female) child was born to me on the 2 day of June 1901; that said child has been named William Allen Pantsky and is now living.

Gracie Pantsky

WITNESSES TO MARK

(Must be Two Witnesses) R. E. Veazey
W. H. Sheorn

Subscribed and sworn to before me this 6 *day of* June, 1901.

Wm Lucas
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Southern District.

I, J. W. Stallings, a Physician, on oath state that I attended on Mrs. Mrs. Gracie Pantsky, wife of J. A. Pantsky, on the 2nd day of June, 1901; that there was born to her on said date a male (male or female) child; that said child is now living and is said to have been named William Allen Pantsky.

WITNESSES TO SIGNATURE

(Must be Two Witnesses) L. E. Woodruff

J. W. Stallings, M.D.

Subscribed and sworn to before me this 6 *day of* June, 1901.

Wm Lucas
NOTARY PUBLIC.

7-5235.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the applicati n for the enrollment of William Allen Pautsky as a citizen by blood of the Choctaw Nation.

---oOo---

The applicant, William Allen Pautsky, claims the right to enrollment as a citizen by blood of the Choctaw Nation through his mother Grace M. Pautsky.

The right of the applicant's mother, Grace M. Pautsky (as Gracie M. Cobb), to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, of December 5, 1904, in case No. 33 upon the Tishomingo docket of said court, it is hereby ordered that the application of William Allen Pautsky for enrollment as a citizen by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Chairman.

Muskogee, Indian Territory,

JAN 24 1905

Cheetaw 3235

COPY.

Muskogee, Indian Territory, January 24, 1905.

Grace M. Pautsky,

Tishomingo, Indian Territory,

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated January 24, 1905, dismissing the application for the enrollment of your minor child, William Allen Pautsky, as a citizen by blood of the Cheetaw Nation.

Respectfully,

[redacted]

Chairman.

Registered.

Incl. 7-3235

5

Choctaw 5238

COPY.

Muskogee, Indian Territory, January 24, 1905.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find copies of the orders of this Commission dated January 24, 1905, dismissing the applications for the enrollment of Townsend Cobb and William Allen Pautsky as citizens by blood of the Choctaw Nation.

Respectfully,

Tams Bixby

Chairman.

2 Incl. 7-5238

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the application for enrollment as a citizen by blood of the Choctaw Nation of:

Townsend Cobb 7-5235.

New Court Card C. 280

IN RE application of W.F.Cobb and others.

W.F.Cobb says:

Townsend was born June 28th 1898. I have been living here 6 years continuously.

Tishomingo, Sept. 29 1898.

W.F.Cobb
Ida M. Cobb
Grace B. Cobb
Hugh T. Cobb
Lillian B. Cobb
Sallie B. Cobb
George A. Cobb
Townsend Cobb

enrolled.

7-5235.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Townsend Cobb as a citizen by blood of the Choctaw Nation.

-----oOo-----

The applicant, Townsend Cobb, claims the right to enrollment as a citizen by blood of the Choctaw Nation through his father W. F. Cobb.

The right of the applicant's father, W. F. Cobb, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, of December 5, 1904, in case No. 33 upon the Tishomingo docket of said court, it is hereby ordered that the application of Townsend Cobb for enrollment as a citizen by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Chairman.

Muskogee, Indian Territory,

JAN [illegible], 1903.

Choctaw 5235

COPY.

Muskogee, Indian Territory, January 24, 1905.

Ida M. Cobb,

Tishomingo, Indian Territory,

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated January 24, 1905, dismissing the application for the enrollment of your minor child, Townsend Cobb, as a citizen by blood of the Choctaw Nation.

Respectfully,

Tams Bixby

Chairman.

Registered.

Incl. 7-5235

COPY. Choctaw 5238

Muskogee, Indian Territory, January 24, 1905.

Treadwell & Lucas,

Attorneys at Law,

Tishomingo, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated January 24, 1905, dismissing the application for the enrollment of William Allen Pautaky as a citizen by blood of the Choctaw Nation.

Respectfully,

SIGNED.

Tams Bixby

Chairman.

Registered.

Incl. 7-5235

Choctaw 3238

COPY.

Muskogee, Indian Territory, January 24, 1906.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find copies of the orders of this Commission dated January 24, 1906, dismissing the applications for the enrollment of Townsend Cobb and William Allen Pautsky as citizens by blood of the Choctaw Nation.

Respectfully,

DISMISSED.

Tams Bixby

2 Incl. 7-5235

Chairman.

CHOCTAW. CLOSED

as.

IN RE
THE DEATH OF

W. F. Cobb.

a citizen of the

Choctaw *Nation.*

AUG 19 1901

Approved *1*

Commissioner.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
AUG 19 1901

ACTING CHAIRMAN.

CHOCTAW

5285

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of W. F. Cobb (Here insert name of deceased.)
a citizen of the Choctaw Nation, who formerly resided at or near
Pishomingo (Here insert name of post office.), Ind. Ter., and died on the 1 day of Feb
1899

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA, } INDIAN TERRITORY.
So District. }

I, Ida Cobb on oath state that I am 40
years of age and a citizen, by Intermarriage, of the Choctaw Nation;
that my post office address is Pishomingo (Here insert name of post office.), Ind. Ter.; that I am
the Widow (formerly wife) of W. F. Cobb (Here insert name of deceased.)
(State relationship, as: the father; an uncle; a cousin, etc.)
who was a citizen, by blood, of the Choctaw Nation;
and that said W. F. Cobb (Here insert name of deceased.) died on the 1 day of
Feb, 1899.

Ida Cobb

WITNESSES TO MARK.

(Must be Two Witnesses.) }

Subscribed and sworn to before me this 14 *day of* Aug, 1901.

S. C. Tunstall
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA, } INDIAN TERRITORY.
So District. }

I, Alex Rennie, on oath state that I am 30
years of age, and a citizen, by blood, of the Chickasaw Nation;
that my post office address is Pishomingo (Here insert name of post office.) Ind. Ter.;
that I was personally acquainted with W. F. Cobb (Here insert name of deceased.)
who was a citizen, by blood, of the Choctaw Nation;
and that said W. F. Cobb (Here insert name of deceased.) said Choctaw Nation died on the 1 day of
Feb 1899. I know he is dead but do not remember date
of his death in my own mind.

Alex Rennie

WITNESSES TO MARK.

(Must be Two Witnesses.) }

Subscribed and sworn to before me this 14 *day of* Aug 1901.

S. C. Tunstall
Notary Public.

Certificate of Record of Marriage.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
SOUTHERN DISTRICT. } sct.

I, C. M. CAMPBELL, Clerk of the United States Court in the Territory and District aforesaid, DO HEREBY CERTIFY, that the License for, and Certificate of Marriage of Mr. A Fankin and M Grace Cobb were filed in my office in said Territory and District the 10 day of June A. D 1900, and duly recorded in Book 6 of Marriage Record, Page 46

WITNESS my hand and Seal of said Court, at Ardmore, this 10 day of May A. D 1900.

C. M. Campbell
CLERK.

☞ Return this License to the United States Clerk at Ardmore, that it may be recorded, when it will be mailed to the proper address.

ARDMOREITE JOB PRINT, ARDMORE, I. T.

C. M. CAMPBELL, Clerk.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
AUG 21 1901

ACTING CHAIRMAN.

MARRIAGE LICENSE

[redacted]

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District.) ss:

To Any Person Authorized by Law to Solemnize Marriage--Greeting:

YOU ARE HEREBY COMMANDED

To solemnize the Rite and publish the Banns of Matrimony between Mr. J. A. Pantsky of Dishomingo in the Indian Territory, aged 20 years, and Miss Gracie Cobb of Dishomingo in the Indian Territory, aged 19 years, according to law; and do you officially sign and return this License to the parties therein named.

Witness My hand and official Seal, this 1 day of Aug A. D. 1900

C. W. Campbell
Clerk of the United States Court

Certificate of Marriage.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
SOUTHERN DISTRICT. ss:

I. [illegible]

a. [illegible]

do hereby certify, that on the 2 day of [illegible], A. D. 1900, I did duly and according to law, as commanded in the foregoing License, solemnize the Rite and publish the Banns of Matrimony between the parties therein named.

WITNESS my hand, this 2 day of [illegible], A. D. 1900.

My credentials are recorded in the office of the Clerk of the United States Court, Indian Territory, Southern District, at Ardmore, Book C Page [illegible]

NOTE. The person officiating should fill in the spaces for book and page, and sign here.

[illegible]

a [illegible]

NOTE (a)—This License and Certificate of Marriage must be returned to the office of the Clerk of the United States Court in the Indian Territory, at Ardmore, within sixty days from the date thereof, or the party to whom the License was issued will be liable in the amount of One Hundred Dollars ($100.)

NOTE (b)—No person is authorized to perform the Marriage Ceremony in the Southern District, unless the proper credentials have first been recorded in the Clerk's office.

Muskogee, Indian Territory, August 8, 1901.

Messrs. Treadwell & Lucas,
Attorneys at Law,
Tishomingo, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of the 17th instant enclosing the marriage license and certificate between J. A. Pautsky and Gracie Cobb, and the application for enrollment as a citizen of the Choctaw Nation of William Allen Pautsky, the infant son of J. A. and Gracie Pautsky, born June 2, 1901, and the same being in proper form has been duly filed with the records of the Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Commissioner in charge.

7-5235

[redacted], Indian Territory, August 8, 1901.

Trousdell & Lucas, [redacted],

[redacted], Ind.T.

Gentlemen:

Receipt is hereby acknowledged of your letter of the 6th instant, enclosing application for enrollment as a citizen of the Cherokee Nation of William Allen Pautsky, the infant son of J. A. and Gracie Pautsky, born June 8 1901, and the same is returned to you herewith with the request that legal evidence of the marriage between the parents of the child for whom application is made be furnished to the Commission.

Upon return of the application together with the evidence of marriage, the application for the enrollment of this child will receive further consideration.

Yours truly,

7-2026
Mac L 41

Commissioner in Charge.

Muskogee, Indian Territory, August 9, 1901.

Mrs. Gracie Faulkner,
  Care, Trousdell & Lucas,
    Tishomingo, Ind. Ter.

Dear Madam:

This office has received information that your father, W. P. Cole has died subsequent to the time he was listed for enrollment as a citizen by blood of the Choctaw Nation.

For the purpose of making the fact of his death a matter of record, there is enclosed you herewith a blank proof of death which you are kindly requested to have properly filled, and return to this office with as little delay as possible. You will notice that there is an affidavit for a relative and an acquaintance. In having the same executed be careful to see that all blanks are properly filled, all names written in full, and in event either of the persons whose names are to be affixed to the affidavits are unable to write, and their signatures are by mark, that such signatures be attested by two disinterested parties, witnesses thereto.

The notary public before whom the affidavits are acknowledged must affix his notarial jurat and seal to each separate affidavit.

Please give this matter prompt attention.

7-8235
Rev.
D.C.

Yours truly, Commissioner in Charge.

Muskogee, Indian Territory, August 19, 1901.

Mrs. Ida Cobb,

Tishomingo, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your affidavit and that of Alexander Rennie relative to the death of your husband W. F. Cobb, which occurred February, 1, 1899 and the same being in proper form has been duly filed with the records of the Commission.

Yours truly,

7-5235

Commissioner in charge.

Muskogee, Indian Territory, September 13, 1901.

Mr. J. A. Pautsky,

Tishomingo, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 9th instant requesting to be advised whether or not the name of your infant son William A. Pautsky was listed for enrollment as a citizen of the Choctaw Nation.

You are informed that on August 21, 1901 the name of William Allen Pautsky, the infant son of J. A. and Gracie Pautsky born June 2, 1901 was duly listed for enrollment as a citizen of the Choctaw Nation and acknowledgement of the same made to Treadwell & Lucas, Attorneys at Law, Tishomingo, Indian Territory.

Yours truly,

Commissioner in charge.

7-5838.

Choctaw 5236

Muskogee, Indian Territory, December 7, 1903.

Thomas C. McRae,
Attorney at Law,
Prescott, Arkansas,

Dear Sir:

Receipt is hereby acknowledged of your letter of December 1, in which you ask for a copy of the decision of the Commission in the case of W. F. Cobb, et al. applicants for enrollment as Chickasaw Indians.

In reply to your letter you are advised that the Commission rendered no formal judgments in the cases of applicants for citizenship in the Choctaw and Chickasaw Nations under the provisions of the act of Congress of June 10, 1896, and it is, therefore, impossible to comply with your request for a copy of the judgment rendered in the W. F. Cobb case.

You are advised, however, that it appears from our dockets that on September 5, 1896, W. F. Cobb, et al. filed their application for citizenship in the Choctaw nation; on December 3, 1896, the Commission denied the application of all the persons included in this application. From this decision of the Commission, on January 30,1897 appeal was taken to the United States Court for the Southern District of the Indian Territory, which court, on November 15, 1897, reversed

T C McR 8

the decision of the Commission and admitted the applicants to citizenship in the Choctaw nation.

Respectfully,

Chairman.

Choc 5236 Peter Mickle

5236

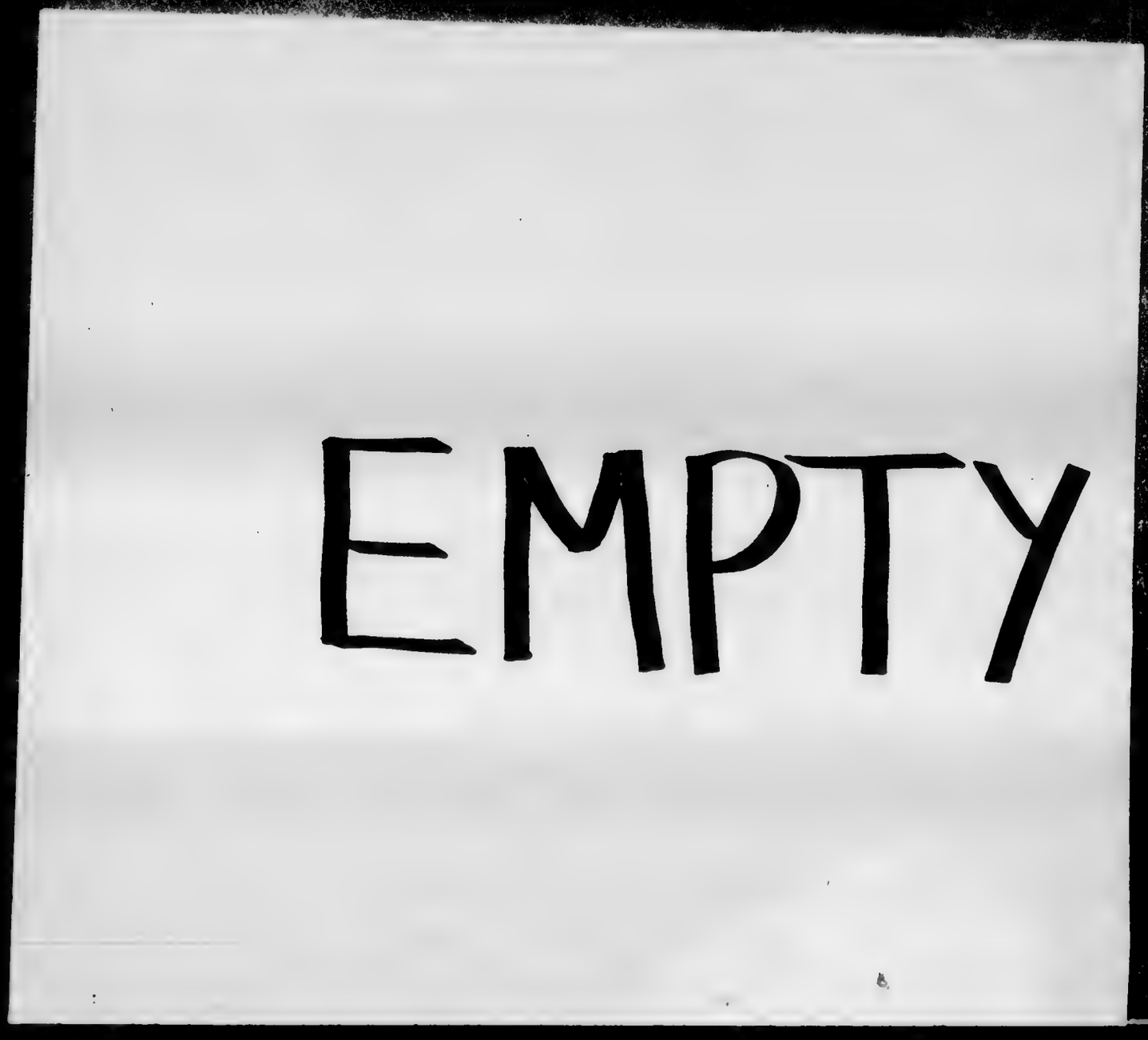
Peter Mickle.

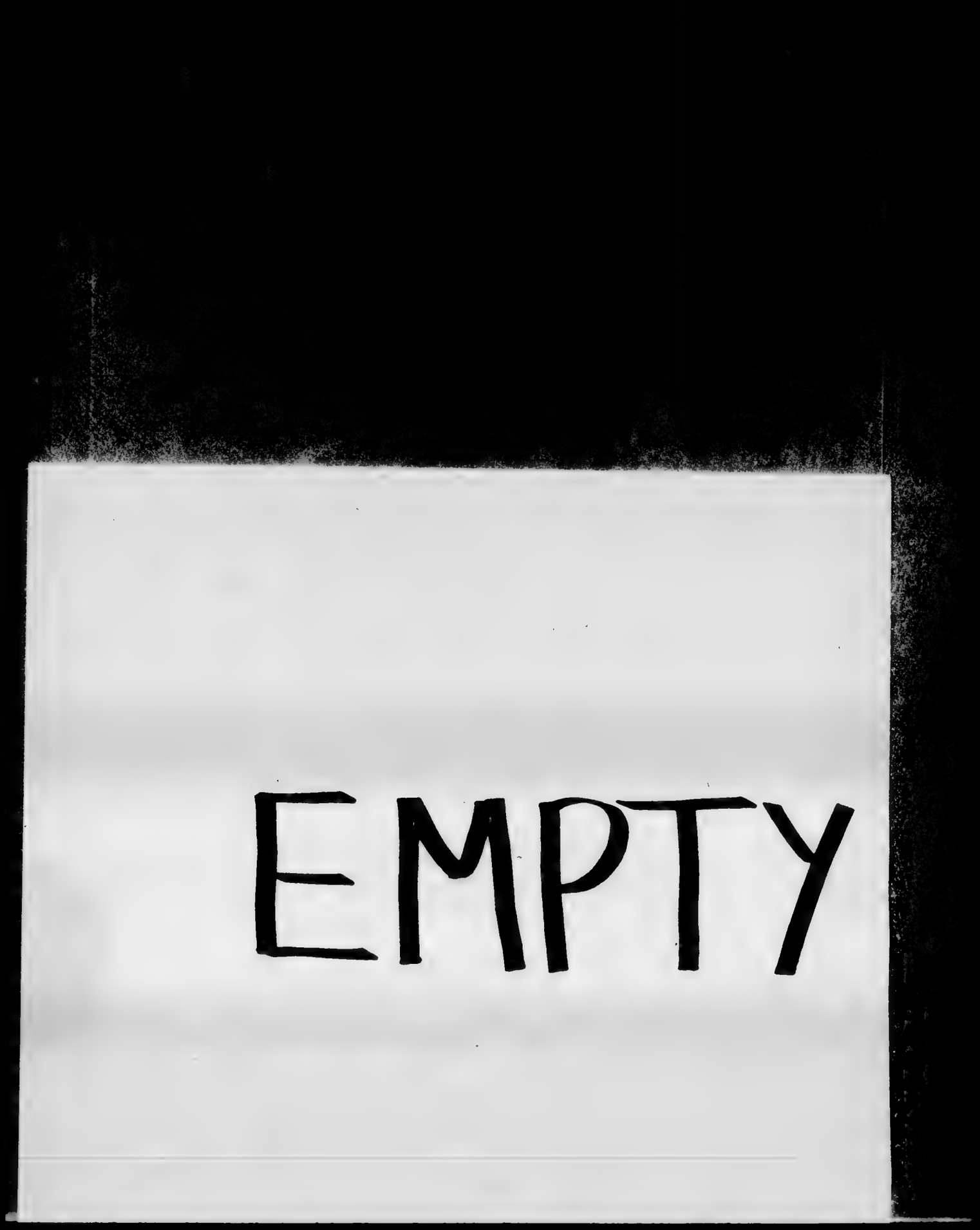
Peter Mickle says:

I have been living in the Nation all my life.

Peter Mickle [illegible] 1898.

enrolled.


EMPTY


EMPTY

Choc 5239 Henry Dutton

5239

3.284

Henry Dutton .

xxxxxxxx Needles.

Henry Dutton says:

I live near Willis , I.T. I have been living in this nation 17 years continuously. I lived in the Choctaw nation about 4 years. I am the Henry Dutton named in the judgment. I first applied to the Dawes Commission and was rejected. I appealed my case to the U.S. court and was admitted.

My father was Peter and my mother Barbara Dutton. My wife i s a ChoctawIndian and I am an intermarried citizen. My wife was Harriet Staley and is daughter of Joseph and Tena (Myers) Staley. My wife's mother was an Indian. Her mother was a Myers, and a Choctaw Indian. Myers married Folsom's daughter who was said to have been a full blood Indian, by some, and by some not to be a full blood.

Lebanon, Oct. 4 1898.

Judge Overton love says: I knew nothing about these people applying unti they came here. My Dutton rented land on my place, I think it was 1879 or 1880. I never heard of him being a Choctaw at that time.

Henry Dutton

Lebanon. Oct. 4 1898.

enrolled.

Choctaw 5239
Choctaw 5245

Muskogee, Indian Territory, September 22,1902.

E. Erlason,

Bebee, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of September 16, inquiring as to the status of Henry Dutton and David C. Dutton.

In reply to your letter you are advised that it appears from our records that on October 4, 1[illegible], Henry Dutton and David C. Dutton were listed for enrollment as citizens of the Choctaw Nation, pursuant to a judgment of the United States Court for the Southern District of Indian Territory, at Ardmore, in Court case Number 132.

Respectfully,

Acting Chairman.

Choc 5240 J.6. Buck

No6 Dismissed OCT 25,1904

#1 Dismissed Jan 26,1905

5240

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the application for enrollment as a citizen by intermarriage of the Choctaw Nation of:

J. G. BUCK 7-5240.

285

J.G.Buck and others.

xxxxxxxxxx Needles,

J.G.Buck says:

I live near Willis, I.T. It is about 8 miles from Lebanon, and one and one half miles from the Texas line. I have lived within a mile of there for 6 years . I came from Texas 6 years ago. I claim citizenship by intermarriage. My wife was Martha Jane Taylor. Her father was Thomas and her mother was Kate (Staley) Taylor. She was a Choctaw Indian. Her mother was a Myers. Her grandmother was a Folsom, a Choctaw Indian. I was rejected by the Dawes Commission and admitted by the United States Court at Ardmore, case 132.

Lebanon Oct. 4 1898.

J.G.Buck
Martha Jane Buck
Fitzgerlad Buck
William R. Buck
Clarence Buck

enrolled.

7-5240.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of J. G. Buck as a citizen by intermarriage of the Choctaw Nation.

-----oOo-----

It appears from the records of the Commission to the Five Civilized Tribes that on September 5, 1896, in the case entitled "Martha Buck vs Choctaw Nation" (1896 Choctaw Citizenship Docket, case number 631), original application was made to this Commission, under the provisions of the act of Congress approved June 10, 1896 (29 Stat., 321), for the admission of the applicant, J. G. Buck, as a citizen by intermarriage of the Choctaw Nation, and on December 2, 1896 said applicant was by this Commission denied admission as a citizen by intermarriage of the Choctaw Nation. From this decision of the Commission an appeal was taken to the United States Court for the Southern District of Indian Territory, which court on March 10, 1898, in the case entitled "Henry Duton, et al vs. Choctaw Nation" (Citizenship Case, number 132), reversed the decision of the Commission denying the said J. G. Buck admission to citizenship in the Choctaw Nation and admitted said applicant as a citizen by intermarriage of the Choctaw Nation.

It further appears from the records in the possession of the Commission that on December 17, 1902, the Choctaw and Chickasaw Citizenship Court, created by the provisions of the act of Congress approved July 1, 1902 (32 Stat., 641), "set aside, annulled, vacated and held for naught" the aforesaid judgment of the United States Court for the Southern District of Indian Territory. Said cause, as to the applicant herein, has not been appealed or certified to the said Choctaw and Chickasaw Citizenship Court for a trial de novo within the time prescribed by the provisions of said act of Congress approved July 1, 1902.

In accordance with the opinion of the Acting Attorney General dated May 9, 1904 (I.T.D. 3824-1904) and the

opinion of the Assistant Attorney General for the Department of the Interior dated July 30, 1904 (I.T.D. 5246-1904) the Commission to the Five Civilized Tribes is without authority to take any action of any character looking to the enrollment of J. G. Buck as a citizen by intermarriage of the Choctaw Nation, and it is, therefore, hereby ordered that the application of J. G. Buck for enrollment as a citizen by intermarriage of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Chairman.

Muskogee, Indian Territory,

JAN 2 [illegible] 1905

Choctaw 5240

COPY.

Muskogee, Indian Territory, January 26, 1906.

J. G. Buck,

Willis, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated January 26, 1906, dismissing your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

Respectfully,

SIGNED.

Tams Bixby

Chairman.

Registered.

Incl. 7-5240

Choctaw 5240

COPY.

Muskogee, Indian Territory, January 26, 1905.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission dated January 26, 1905, dismissing the application for the enrollment of J. G. Buck as a citizen by intermarriage of the Choctaw Nation.

Respectfully,

SIGNED.

Tams Bixby

Chairman.

Incl. 7-5240.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the application for the enrollment as a citizen by blood of the Choctaw Nation of-

HOMER JIRL BUCK ~~~~ 7-5240

13609

Certificate of Record of Marriage.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
SOUTHERN DISTRICT. } *ss.*

I, C. M. CAMPBELL, Clerk of the United States Court in the Territory and District aforesaid, DO HEREBY CERTIFY, that the License for, and Certificate of Marriage of Mr. E. C. Buck and M Sallie Thomas were filed in my office in said Territory and District the 21 day of Sept A. D 1900, and duly recorded in Book E of Marriage Record, Page 104.

WITNESS my hand and Seal of said Court, at Ardmore, this 21 day of Sept A. D. 1900.

C. M. Campbell
CLERK.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
SEP 20 1901
ACTING CHAIRMAN.

☞ Return this License to the United States Clerk at Ardmore, when it may be recorded, when it will be mailed to the proper address.

FILED

ARDMORESITE JOB PRINT, ARDMORE, I. T.

SEP21 1900 4PM

C. M. CAMPBELL, Clerk.

MARRIAGE LICENSE

[redacted]

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District. } ss:

To Any Person Authorized by Law to Solemnize Marriage--Greeting:

YOU ARE HEREBY COMMANDED

To solemnize the Rite and publish the Banns of Matrimony between Mr. F. J. Buck of Hulbert in the Indian Territory aged 23 years, and Miss Sallie Thomas of Kingston in the Indian Territory, aged 21 years, according to law; and do you officially sign and return this License to the parties therein named.

Witness. My hand and official Seal, this 21 day of Sept A. D. 1900

E M Campbell
Clerk of the United States Court

Certificate of Marriage.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
SOUTHERN DISTRICT. } ss:

I, E M Campbell a Clerk U.S. Court do hereby certify, that on the 21 day of Sept A. D. 1900, I did duly and according to law, as commanded in the foregoing License, solemnize the Rite and publish the Banns of Matrimony between the parties therein named.

WITNESS my hand, this 21 day of Sept A. D. 1900.

My credentials are recorded in the office of the Clerk of the United States Court, Indian Territory, Southern District, at Ardmore. Book Page

E M Campbell
a Clerk U.S. Court
So. Dist. I.T.

NOTE The person officiating should fill in the spaces for book and page, and sign here.

NOTE a.—This License and Certificate of Marriage must be returned to the office of the Clerk of the United States Court in the Indian Territory at Ardmore, within sixty days from the date thereof, or the party to whom the License was issued will be liable in the amount of One Hundred Dollars ($100.)

NOTE b.—No person is authorized to perform the Marriage Ceremony in the Southern District, unless the proper credentials have first been recorded in the Clerk's office.

13609

CHOCTAW.

INDEXED

IN RE

Application for Enrollment of

INFANT CHILD

Hannah Girl Buck

as a citizen of

Choctaw Nation.

SEP 20 1901

Approved, 190

C. R. Breckinridge

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

SEP 20 1901

ACTING CHAIRMAN

CHOCTAW.

BIRTH AFFIDAVIT. 20

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of Homer Fitzgerald Buck, born on the 28 day of July, 1901

(Here insert name of child)

Name of Father: Fitzgerald, a citizen of the Choctaw Nation.

Name of Mother: Sallie Buck, a citizen of the Nation.

Post-office, Kingston Indian Territory

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Southern District.

I, Sallie Buck, on oath state that I am 22 years of age and a citizen, by , of the Nation; that I am the lawful wife of Fitzgerald Buck, who is a citizen, by Blood, of the Choctaw Nation, that a Male child (male or female) was born to me on the 28 day of July 1901; that said child has been named Homer Fitzgerald Buck, and is now living.

Sallie Buck

WITNESSES TO MARK

(Must be Two Witnesses) M. F. Buck

D. F. Bunster

Subscribed and sworn to before me this 16 *day of* September, 1901.

W. A. Carter NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Southern District.

I, E. F. Lewis, a Practicing Physician on oath state that I attended on Mrs. Sallie Buck, wife of Fitzgerald Buck on the 25 day of July, 1901; that there was born to her on said date a Male (male or female) child; that said child is now living and is said to have been named Homer Fitzgerald Buck.

E. F. Lewis M. D.

WITNESSES TO MARK

(Must be Two Witnesses) J. T. Herndon.

J. T. Aldridge

Subscribed and sworn to before me this 16 *day of* September, 1901.

W. A. Carter NOTARY PUBLIC

9611

7-5240

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Homer Jirl Buck as a citizen by blood of the Chóctaw Nation.

The applicant, Homer Jirl Buck, claims his right to enrollment as a citizen by blood of the Choctaw Nation through his faither Fitzgerald Buck. The right of the applicant's father, Fitzgerald Buck, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, June 29, 1904, case number 97 upon the Tishomingo docket of said court, it is hereby ordered that the application of Homer Jirl Buck for enrollment as a citizen by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Muskogee, Indian Territory,

OCT [illegible] 1904

Choctaw 5240.

COPY.

Muskogee, Indian Territory, October 25, 1904.

Fritzgerald Buck,

Kingston, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated October 25, 1904, dismissing the application for the enrollment of Homer Jirl Buck as a citizen of the Choctaw Nation, by blood.

Respectfully,

SIGNED

Tams Bixby

Chairman.

Registered.

Incl. 7-5240.

Choctaw 8240.

COPY.

Muskogee, Indian Territory, October 25, 1904.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission, dated October 25, 1904, dismissing the application for the enrollment of Homer Jirl Buck as a citizen by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

Tams Bixby

Chairman.

Incl. 7-5240.

Muskogee, Indian Territory, August 31, 1901.

Mr. Fritz Jiri Buck,

Kingston, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Homer Jiri Buck the infant son of Fritz Jiri and Sarah Susan Buck, born July 28, 1901, and the same is returned to you herewith for further information relative to the parents of this child.

It is stated in the affidavit of the mother that her name is Sarah Susan Buck; that she is 22 years of age, and a citizen by marriage of the Choctaw Nation. If this be true you are requested to state when and where application for her enrollment as an intermarried citizen of the Choctaw Nation was made.

It is further stated in the affidavit of the mother that she is the lawful wife of Fritz Jiri Buck who is a citizen by blood of the Choctaw Nation.

You are informed that the records of this office have been carefully examined and no person by the name of Fritz Jiri Buck has ever made application for enrollment as a citizen by blood of the Choctaw Nation.

Frits Fitzgerald Buck-8,

The records do show however, that Fitzgerald Buck, 21 years of age and the son of J. G. Buck and Martha Jane Buck, was listed for enrollment as a citizen of the Choctaw Nation, October 4, 1898, having been admitted to citizenship in that nation by a judgment of the United States Court for the Southern District of the Indian Territory at Ardmore, Indian Territory, June 23, 1897.

If you are the identical person admitted by such judgment and listed for enrollment as stated herein, it will be necessary that your name appear in the application spelled in the same manner that it was when you were listed for enrollment.

It will also be necessary that you supply this office with either your original marriage license and certificate or a certified copy thereof.

For the purpose of assisting you in this matter there is enclosed you herewith a blank for the purpose of making a new application for the enrollment of this child. Upon return of the same properly executed in accordance with the facts stated herein, together with the information requested and legal evidence of the marriage of the parents, the application for the enrollment of this child will receive further consideration.

Yours truly,

7-5240

Enc. W. 168

Commissioner in charge.

Muskogee, Indian Territory, September 6, 1901.

Fitzgerald Buck,

Kingston, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 3rd instant, in which you state that there was no blank application for the enrollment of an infant child enclosed in letter written you by this office, August 31, 1901.

There is enclosed you herewith a blank of the description desired.

Yours truly,

Commissioner in Charge.

Y- 5240

BC

Muskogee, Indian Territory, September 20, 1901.

Mr. W. A. Carter,

Notary Public,

Kingston, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 16th instant, enclosing the marriage license and certificate between F. J. Fuck and Sallie Thomas, and the same have been duly filed with the records of the Commission.

Receipt is also acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Homer Jirl Fuck, the infant son of Fitzjerald and Sallie Fuck, born July 28, 1901, and the same being in proper form has been duly filed with the records of the Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

7-5240

Acting Chairman.

Choctaw 8240

Muskogee, Indian Territory, November 26, 1898.

D. L. Frank,

Cliff, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 22nd instant, in which you desire to be advised if you would be safe in securing allotments for J. G. Buck or Henry Dutton and their heirs. You state that these persons are court claimants.

In reply to your letter you are advised that there was created by the Choctaw-Chickasaw supplemental agreement, a court to be known as "The Choctaw and Chickasaw Citizenship Court" for the purpose of determining the rights of persons to participate in the distribution of the tribal property of the Choctaw and Chickasaw Nations, who were admitted to citizenship in these two tribes by the United States Court in Indian Territory, under the provisions of the act of Congress of June 10, 1896.

This agreement further provides, that

"No person claiming right to enrollment and allotment and distribution of tribal property, by virtue of a judgment of the United States court in the Indian Territory under the act of June 10, 1896 (29 Stats., 321), and which right is contested by legal proceedings instituted under the provisions of this agreement, shall be enrolled or receive allotment of lands or distribution of tribal property until his right thereto has been finally determined."

D L F S

The Commission cannot advise you relative to the probable action to be taken by the recently created Choctaw and Chickasaw Citizenship Court and until the final disposition of the question submitted to this Court, this Commission cannot enroll as citizens of the Choctaw or Chickasaw Nations persons admitted to such citizenship by judgment of the United States Courts in the Indian Territory, or make any allotment of the lands of the Choctaw and Chickasaw Nations to such persons.

Respectfully,

Acting Chairman.

7-5240
7-5240

Muskogee, Indian Territory, August 1, 1908.

Hattie Reynolds,

Atlee, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of July 25, inclosing communication from the Commission of July 17, advising that you were admitted to citizenship by a judgment of the United States Court in Indian Territory, and stating that there must be a mistake, as you were never an applicant to the United States Court for citizenship in the Choctaw Nation. You also inclose a communication from the Commission of November 22, 1902, giving information relative to your enrollment.

In reply to your letter you are informed that the information contained therein has enabled the Commission to identify you as having been enrolled by this Commission as a citizen by blood of the Choctaw Nation, together with your children, Mollie L., Willie M. and Edgar Woods, under the name of Hattie Woods, and on February 4, 1908, the enrollment of yourself and your children above named, was approved by the Secretary of the Interior.

H.R.------2

You are further informed that it appears from our records that another person by the name of Hattie Woods was admitted to citizenship in the Choctaw Nation by a judgment of the United States Court in Indian Territory, and the information contained in your former letter was not sufficiently specific to show that you were not the Hattie Woods named in said judgment.

The communications inclosed with your letter are herewith returned.

Respectfully,

Commissioner in Charge.

Inc. CM-31-1

Choc 5241 George Piper Buck

5241

No. 286

George P. Buck and others.

xxxxxxxxxxx Needles,

George P. Buck says:

I have lived near Willis, Chickasaw Nation about 11 years. My father was George Buck. My mother was Martha Taylor. She claimed to be Choctaw. Her father was a white man. I have heard that I was Choctaw ever since I can remember. I never applied for citizenship until I applied to the Dawes Commission. The Dawes Commission rejected me. I appealed and was admitted by the U.S. COurt at Ardmore.

Oct. 4 1898.

George P. Buck
Rosa Buck

enrolled.

Choctaw 5261

Muskogee, Indian Territory, July 31, 1902.

Herbert & Cannon,

Attorneys at Law,

Ardmore, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of the 19th instant, enclosing the petition of Mrs. Ada C. Buck to be enrolled as a member of the Choctaw Nation by intermarriage.

The petition enclosed in your letter is returned you herewith, with the information that the rules and regulations of the Commission and of the Department of the Interior require that applicants for enrollment as citizens by intermarriage of the ChoctawNation must appear in person before the Commission for the purpose of examination under oath.

If Mrs. Buck desires to make application for enrollment as a citizen by intermarriage of the Choctaw Nation, she will be heard upon her personal appearance at the office of the Commission at Muskogee, Indian Territory, at any time prior to the date to be fixed or agreed upon terminating the time within which the Commission can receive and consider applications of this character. If she anticipates making such application, it is

E.S.T.S.

advisable that she do so as early as practicable.

Yours truly,

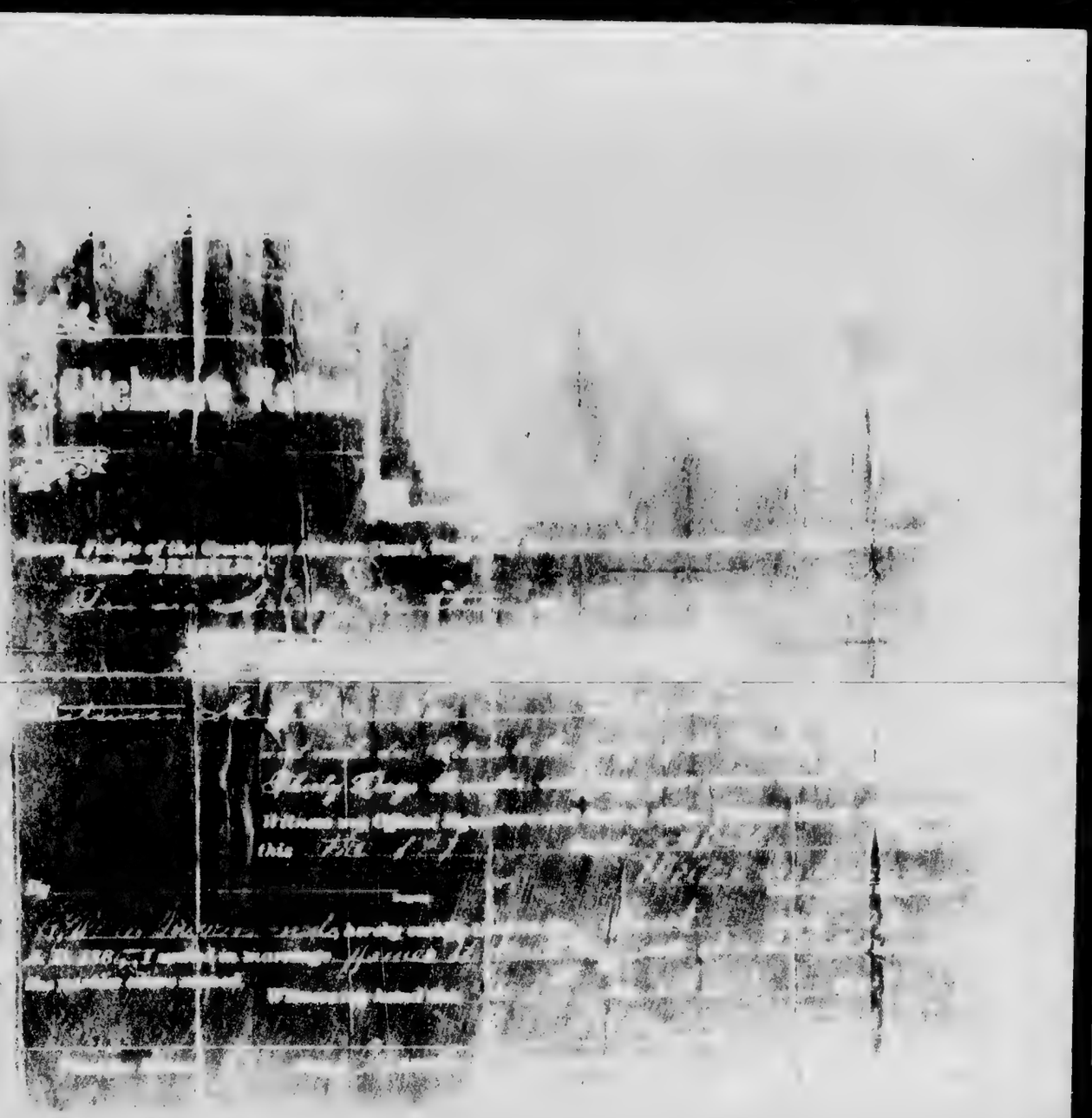
Acting Chairman.

Dec T-21

Choc 5242 James H. Dutton

#5-6-7 Dismissed Oct 25, 1904

5242



Deaprtment of the Interior.

Commission to the Five Civilized Tribes.

In Re, application for enrollment of Zella Dutton, as a citizen of the Choctaw Nation, born on the 25th day of November, 1896, . Name of father, James Dutton, a citizen of the Choctaw Nation. Name of Mother Mrs. Ruth Dutton, a citizen of the United States.

Post Office, Willis, I.T.

Affidavit of Mother.

United States of America.

Indian Territory, Southern District.

I, Mrs. Ruth Dutton, on oath state that I am 33 years old and a citizen of the United States; that I am the lawful wife of James Dutton a citizen of the Choctaw Nation by blood. That a child was born to me on the 25th day of November, 1896. Thatsaid child was named Zella Dutton and is still living.

Ruth Dutton

Subscribed and sworn to before me this August 12" 1899.

A Addleman

Notary Public.

Affidavit of Attending Physician or Midwife.

Dry Goods,
Notions,
Clothing,
Boots, Shoes,
Hats and Caps,
Groceries,
Hardware,
Queensware,
Harness.

J. R. DUNEHOO. W. A. ROBERTS.

DUNEHOO & ROBERTS,

....DEALERS IN....

.....GENERAL MERCHANDISE.....

LINN, I. T. 1899.

Affidavit of attending Physician
of Midwife
United States of America
Indian Territory
Southern District
I Mrs. Pondexter on oath state that
I was present when Mrs. Dutton
Wife of James Dutton gave birth
to a Female child on the 25th
of November 1896. That said child
is now Living and is said to have
been named Zella Dutton

A. M. Poindexter

Subscribed and sworn to before me this
2nd Day of August 1899

[illegible]

Notary Public

[illegible]

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE: Application for Enrollment, as a Citizen of the Choctaw Nation, of Dorsey Dutton, born on the 9th, day of October, 1898, Name of father James Dutton, a citizen of the Choctaw Nation. Name of mother, Mrs. Ruth Dutton. A citizen of the United States.

Post Office, Willis, I. T.

Affidavit of Mother.

United states of America,
Indian Territory,
Southern District.

I, Mrs. Ruth Dutton, on oath state, that I am 22 years of age, and a citizen of the United States; that I am the lawful wife of James Dutton, who is a citizen by blood of the Choctaw Nation; that a child was born to me on the 9th, day of October, 1898; that said child has been named Dorsey Dutton, and is still living.

Ruth Hutton

Subscribed and sworn to before me, this the 12 day of May, 1899.

A Addleman

Notary Public.

Affidavit of Attending Physician or Midwife.

United States of America

Indian Territory.

Southern District.

I, Nancy J. Palmer, on oath state that I was present at the birth of Mrs. Ruth Dutton wife of James Dutton and was present at the birth of said Dutton and was present at the birth of said Dutton and was present at the birth of said

CHOCTAW. 80 INDEXED

IN RE

Application for Enrollment of

INFANT CHILD

Dora Cordelia Sutton

as a citizen of

Choctaw Nation.

Approved, AUG 24 1901 190

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
AUG 24 1901

ACTING CHAIRMAN.

CHOCTAW.
5242

BIRTH AFFIDAVIT. 20

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Dora Cordelia Dutton, born on the 2nd day of Aug, 1901.
(Here insert name of child)
Name of Father: James H. Dutton, a citizen of the Choctaw Nation.
Name of Mother: Ruth J. Dutton, a citizen of the United States ~~Nation~~.
Post-office, Oakland Ind Ter

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Southern District.

I, Ruth J. Dutton, on oath state that I am 36. years of age and a citizen, by Blood, of the United States ~~Nation~~; that I am the lawful wife of James H. Dutton, who is a citizen, by Blood, of the Choctaw Nation, that a Girl (male or female) child was born to me on the 2nd day of Aug 1901; that said child has been named Dora Cordelia, and is now living.

Ruth J Dutton

WITNESSES TO MARK

(Must be Two Witnesses)

Subscribed and sworn to before me this 16 *day of* Aug 1901.

Thos. C. Rollins
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Southern District.

I, W. W. Carson, a Physician, on oath state that I attended on Mrs. Ruth J. Dutton, wife of James H Dutton, on the 2d day of Aug, 1901; that there was born to her on said date a Female (male or female) child; that said child is now living and is said to have been named Dora Cordelia

W. W. Carson M.D.

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this 22 *day of* Aug 1901.

E. D. Slaugh
NOTARY PUBLIC.

7-5242.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

----o----

In the matter of the application for the enrollment of Zella Dutton, et al., as citizens by blood of the Choctaw Nation.

----o----

The applicants, Zella Dutton, Dorsey Dutton and Dora Cordelia Dutton, claim their right to enrollment as citizens by blood of the Choctaw Nation through their father, James H. Dutton. The right of the applicants' father, James H. Dutton, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, June 29, 1904, in case No. 97 upon the Tishomingo docket of said court, it is hereby ordered that the application of Zella Dutton, Dorsey Dutton and Dora Cordelia Dutton for enrollment as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Chairman.

Muskogee, Indian Territory,

OCT

Choctaw 5242

COPY.

Muskogee, Indian Territory, October 25, 1904.

James H. Dutton,

Oakland, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated October 25, 1904, dismissing the application for the enrollment of Zella Dutton, Dorsey Dutton and Dora Cordelia Dutton as citizens by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

Tams Bixby

Chairman.

Registered.

Incl. 7-5242.

Choctaw 5242

COPY.

Muskogee, Indian Territory, October 25, 1904.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission, dated October 25, 1904, dismissing the application for the enrollment of Zella Dutton, Dorsey Dutton and Dora Cordelia Dutton as citizens by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

Chairman.

Incl. 7-5242.

287

of James H. Dutton and others.

xxxxxxxxxxxxx Needles,

James H. Dutton says:

I have lived near Willis, Chickasaw Nation 17 years. That is about one and one half miles from the Texas line. My father was Henry and my mother Harriet Dutton. I derive my Indian blood from my mother. I have known that my mother was Choctaw ever since I can recollect. I have been living here as a renter. I have never applied to the Choctaw Commission. All my children I have named are now alive. They have been living i n the Territory with me.

Lebanon, Oct. 4 1898.

James H. Dutton
Virgie Dutton
Mary Dutton
Jesse Dutton

enrolled.

United States of America
Indian Territory Chickasaw Nation
Southern District-

Before me the undersigned a Notary Public in and for the Southern District Indian Territory personally appeared Mrs Minnie Page who is well known to me personally and stated upon oath that she was well acquainted with James Dutton and Ruth Dutton and that she was present at when they were married and has been acquainted with them from that time up to the present date

Minnie Page

Sworn to and subscribed to before me this the 6th day November A.D. 1899

C. H. Thomas
Notary Public
Southern District
Indian Territory

United States of America)
Indian Territory)
Chickasaw Nation)
Southern District)

Before me the undersigned a Notary Public in and for the Southern District Indian Territory personally appeared Jane Peal to me well known and stated upon oath that she well acquainted with Mr James Dalton and his wife whose maiden name was Ruth Jones and that he has known them from the time of their marriage up to the present date J. T. Page

She was a widow by the name of Randolph when James Dalton married her

Sworn to and subscribed to before me this November the 6th 1899

C. H. Thomas
Notary Public
Southern District
Indian Territory

Muskogee, Indian Territory, August 22, 1901.

Mr. James Dutton,
Oakland, Ind. Ter.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Nora Cornelia Dutton, the infant daughter of James H. and Ruth E. Dutton, born August 2, 1901, and the same being in proper form has been duly filed with the records of the Commission, and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

7-5342

Commissioner in Charge.

Choc 5243 Robert Dutton

N°5 Dismissed 10-25-04

5243

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the application for the enrollment as a citizen by blood of the Choctaw Nation of-

CHARLEY B. DUTTON 7-5243

960

7-5243

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Charley B. Dutton as a citizen by blood of the Choctaw Nation.

The applicant, Charley B. Dutton, claims his right to enrollment as a citizen by blood of the Choctaw Nation through his father Robert Dutton. The right of the applicant's father, Robert Dutton, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, June 29, 1904, case number 97 upon the Tishomingo docket of said court, it is hereby ordered that the application of Charley B. Dutton for enrollment as a citizen by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Muskogee, Indian Territory,
OCT 25 1904

7-5243

COPY.

Muskogee, Indian Territory, October 25, 1904.

Robert Dutton,

Willis, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated October 25, 1904, dismissing the application for the enrollment of your minor son, Charley B. Dutton as a citizen by blood of the Choctaw Nation.

Respectfully,

SIGNED

Tams Bixby

Chairman.

Registered.

Incl. 7-5243.

7-5243

COPY.

Muskogee, Indian Territory, October 25, 1904.

Hardy and Franklin,

Attorneys at Law,

Madill, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated October 25, 1904, dismissing the application for the enrollment of Charley B. Dutton as a citizen by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

Chairman.

Registered.

Incl. 7-5243.

7-5243

COPY.

Muskogee, Indian Territory, October 25, 1904.

Mansfield, McMurray and Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission, dated October 25, 1904, dismissing the application for the enrollment of Charley B. Dutton as a citizen by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

Tams Bixby

Chairman.

Incl. 7-5243.

C 288

Robert Dutton and others.

xxxxxxxxxxxx Needles,

Robert Dutton says:

I live 10 milesffrom here, near Willis, Chickasaw Nation and about 4 miles from the Texas line. I came to the Territory in 1881 and have lived here continuously since that time. I have not lived in Texas during that time. I have been living around here about 9 years . I have been renting land for the past 7 years. I have known that I was an Indian ever since I can remember. I have been told that ym family were Choctaws. I did not apply to the Choctaw Council because some 3 or 4 years ago we all talked it over and decided we could establish our right and that it was due us, and that is the best I can explain it to you. None of the Choctaw authorities have recognized me as a Choctaw. My father was Henry and my mother Harriet Dutton. These children I have named are in the Territoey and have been living here with me. Feb. Oct. 4 1898.

Robert Dutton
Dora V. Dutton
Maggie Dutton
Monta Dutton

enrolled.

7-5243.

Muskogee, Indian Territory, December 18, 1908.

Hardy & Franklin,

Attorneys at Law,

Madill, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of the 9th inst., enclosing the applications for enrollment as citizens of the Choctaw Nation of Charles B. Dutton and Roxie Ella Dutton; and affidavits of their parents, Robert and Emily Alice Dutton, relative to their marriage.

You state that a certificate of marriage was issued to them by Judge Willis Dickison, County Judge of Pickens County, who married them but that they have lost it; that the only two living witnesses are unwilling to make affidavits of what they know about the marriage, and you would like to have them brought before the Commission to testify in regard to said marriage.

The papers enclosed by you are herewith returned. You are advised that the Commission will hear the testimony of witnesses to said marriage upon their personal appearance at its appointment

E. S. T. 3

to South Hollister, Indian Territory, December 28 to 31, 1902 inclusive.

Respectfully,

Commissioner in Charge.

Enc B I 130.

COMMISSIONERS
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

WM. O. BEALL,
Secretary

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING
7-5243

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, October 25, 1904.

Robert Dutton,

Willis, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated October 25, 1904, dismissing the application for the enrollment of your minor son, Charley B. Dutton as a citizen by blood of the Choctaw Nation.

Respectfully,

Chairman.

Registered.

Incl. 7-5243.

Chac 5244 Stephen H. Dutton

#6-7 Dismissed

5244

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the application for the enrollment as citizens by blood of the Choctaw Nation of-

WILLIS DUTTON, ET AL. 7-5244

Department of the Interior.

Commission to the Five Civilized Tribes.

In Re, Application for enrollment as a citizen of the Choctaw Nation of Willis Dutton, born on the 14th day of August, 1897.
Name of father: S. A. Dutton, a citizen of the Choctaw Nation.
Name of mother: Ella Dutton, a citizen of the United States.

Affidavit of Mother. P. O. Ravia, I. T.

United States of America.
Indian Territory, Southern District.

I, Ella Dutton, on oath state that I am 28 years of age and a citizen of the United States; that I am the lawful wife of S. A. Dutton, who is a citizen of the Choctaw Nation by blood, that a child was born to me on the 14th day of August, 1897, that said child has been named Willis Dutton and is still living.

Ella Dutton

Subscribed and sworn to before me this June 20, 1899.

Ind. T. [illegible]
Notary Public.

Affidavit of Attending Physician or Widwife.

United States of America.
Indian Territory. Southern District.

I, Ella Shipman, on oath state that I attended on Mrs. Ella Dutton, wife of S. A. Dutton, on the 14th day of August, 1897,; that there was born to her on said date a male child; that said male child is now living and said to have been named Willis Dutton.

Ella Shipman

Subscribed and sworn to before me this June 20 1899.

Ind. T. [illegible]
Notary Public.

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Chocatow Nation,
of Kughlin Dutton (Here insert name of child) born on the 28 day of April, 1902
Name of Father: Steven A. Dutton a citizen of the Chocatow Nation.
Name of Mother: Ella Dutton, a citizen of the United States Nation.
Postoffice, Johnson Indian Ter

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, }
INDIAN TERRITORY. }
Southern District. }

I, Ella Dutton, on oath state that I am 28 years of age and a citizen, by Blood, of the United State Nation; that I am the lawful wife of Steven A Dutton, who is a citizen, by Blood, of the Chocatow Nation; that a Male (male or female) child was born to me on the 28th day of April, 1902, that said child has been named Kughlin Dutton and is now living.

WITNESSES TO MARK:

Ella Dutton

(Must be Two Witnesses) }

.....

Subscribed and sworn to before me this 28 day of May, 1902

C. F. Dorchester
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, }
INDIAN TERRITORY. }
Southern District. }

I, W B Tackett, a Physician, on oath state that I attended on Mrs. Ella Dutton, wife of Steven A Dutton on the 28 day of April, 1902; that there was born to her on said date a Male (male or female) child; that said child is now living and is said to have been named Kughlin Dutton.

WITNESSES TO MARK

W. B. Tackett M.D.

(Must be Two Witnesses) }

Subscribed and sworn to before me this 28 day of May, 1902

C. F. Dorchester
NOTARY PUBLIC

A617

7-5244.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

----o----

In the matter of the application for the enrollment of Willis Dutton and Hughlin Dutton as citizens by blood of the Choctaw Nation.

----o----

The applicants, Willis Dutton and Hughlin Dutton, claim their rights to enrollment as citizens by blood of the Choctaw Nation through their father, Stephens A. Dutton. The right of the applicants' father, Stephens A. Dutton, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, June 29, 1904, in case No. 97 upon the Tishomingo docket of said court, it is hereby ordered that the application of Willis Dutton and Hughlin Dutton for enrollment as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Chairman.

Muskogee, Indian Territory,

OCT [illegible] 1904

COPY. Choctaw 5244

Muskogee, Indian Territory, October 25, 1904.

Stephens A. Dutton,

Johnson, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated October 25, 1904, dismissing the application for the enrollment of Willis Dutton and Hughlin Dutton as citizens by blood of the Choctaw Nation.

Respectfully,

SIGNED

Chairman.

Registered.

Incl. 7-5244.

COPY.

Choctaw 5244

Muskogee, Indian Territory, October 25, 1904.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission, dated October 25, 1904, dismissing the application for the enrollment of Willis Dutton and Hughlin Dutton as citizens by blood of the Choctaw Nation.

Respectfully,

SIGNED

Chairman.

Incl. 7-5244.

289

Stephens A Dutton. and others.

xxxxxxxxx Needles,

Stephens A. Dutton says:

I have lived in the neighborhood 6 miles south of Oakland, 17 years, continuously. I have been told all my live that I was Choctaw. I cannot tell why I did not a p ly to the Choctaw Council. None of the Choctaw authorities have recognized me. I have been renting land.

..y children I have named have always lived in the Territory.

Oct 4 1898.

Stephens A. Dutton
Della Dutton
Beulah Dutton
Berta Dutton
Sherman E. Dutton

enrolled.

TO.

COMMISSIONERS.
HENRY L. DAWES,
TAMS BIXBY,
ARCHIBALD S. McKENNON,
THOMAS B. NEEDLES.

ALLISON L. AYLESWORTH, SECRETARY.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, May 17, 1900.

To Wilson A. Sutton
Oakland, I. T.

Receipt is hereby acknowledged of birth certificate in the matter of the application for enrollment of Willie Sutton, son of Wilson A. Sutton and Ella Sutton as a citizen of the Chickasaw Nation, and the same has been duly filed.

Very respectfully,

James Bixby
Acting Chairman.

70

Choctaw [illegible]

Muskogee, Indian Territory, May 6, 1908.

Nathan H. Byars,

Pauls Valley, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 3rd instant, requesting that you be informed if S. A. Dutton, Della Dutton, Beulah Dutton, Birdie Dutton, Sherman K. Dutton, Ollie Dutton and Newland Dutton appear upon the rolls of the Choctaw Tribe of Indians.

Replying to your letter you are informed that on October 4, 1898, Stephen A. Dutton, 37 years of age, and his children, Della, Beulah, Berta, Sherman K. and Willis Dutton were listed for enrollment by this Commission as citizens of the Choctaw Nation, having been admitted to such citizenship by a judgment of the United States Court for the Southern District of the Indian Territory, rendered at Ardmore, Indian Territory, June 23, 1897, in Choctaw case No. 132. On June 23, 1900, Hughlin Dutton, the infant son of Stephen A. Dutton, was listed for enrollment upon presentation of proper affidavits as to his birth.

Yours truly,

Commissioner in Charge.

Choc 5245 David C. Dutton

#2 Dismissed Oct 25, 1904

5245

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the application for the enrollment as a citizen by blood of the Chickasaw Nation of-

LELA EDNA DUTTON ?-5245

290

David C. Dutton and others.

xxxxxxxx Needles,

David C. Dutton says:

I live near Boggy Depot, Chickasaw Nation. I have lived in the Territory 17 years. We all came here together. My father was Henry and my mother Harriet (Staley) Dutton. I have been told every since I can remember that I am Choctaw. iI have never applied to the Choctaw Council. I do not know why I have not done so. I am renting land. I have rented since I have been in the Territory. None of the Choctaw authorities have ever recognized me as a Choctaw.

Lebanon, Oct. 4 1898.

David C. Dutton
Lela E. Dutton

enrolled.

Affidavit of Attending Physician at Birth of Child.

INDIAN TERRITORY,)

Central Judicial District.)

I, J B Hamm, being duly sworn, on oath, state that I was the physician who attended on Mrs. Dave Dalton on the 15th day of August 1898, and that there was born to her on said date a female child, and that said child was named Lia Eva, and is now living.

J B Hamm

Subscribed and sworn to before me this 8th day of October 1898

L M Mayes

NOTARY PUBLIC

DLW

7-5245

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Lela Edna Dutton as a citizen by blood of the Choctaw Nation.

The applicant, Lela Edna Dutton, claims her right to enrollment as a citizen by blood of the Choctaw Nation through her father David C. Dutton. The right of the applicant's father, David C. Dutton, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, June 29, 1904, in case number 97 upon the Tishomingo docket of said court, it is hereby ordered that the application of Lela Edna Dutton for enrollment as a citizen by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Muskogee, Indian Territory,
OCT 25 1904

Cherokee 3843

COPY.

Muskogee, Indian Territory, October 25, 1904.

David C. Dutton,

Boggy Depot, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated October 25, 1904, dismissing the application for the enrollment of Lela Edna Dutton as a citizen by blood of the Cherokee Nation.

Respectfully,

(SIGNED)

Tams Bixby

Chairman.

Registered.

Incl. 7-3248.

Choctaw 5245.

COPY.

Muskogee, Indian Territory, October 28, 1904.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission, dated October 26, 1904, dismissing the application for the enrollment of Lela Edna Dutton as a citizen by blood of the Choctaw Nation.

Respectfully,

Chairman.

Incl. 7-5245.

Choctaw 5239
Choctaw 5245

Muskogee, Indian Territory, September 22,1902.

E. Burleson,

Nebee, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of September 16, inquiring as to the status of Henry Dutton and David C. Dutton.

In reply to your letter you are advised that it appears from our records that on October 4, 1898, Henry Dutton and David C. Dutton were listed for enrollment as citizens of the Choctaw Nation, pursuant to a judgment of the United States Court for the Southern District of Indian Territory, at Ardmore, in Court case Number 132.

Respectfully,

Acting Chairman.

4 N.C.B.

COMMISSIONERS:
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BREEDINGRIDGE.

WM. O. BEALL,
Secretary.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING
Choctaw 5245

Muskogee, Indian Territory, October 25, 1904.

David C. Dutton,

Boggy Depot, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated October 25, 1904, dismissing the application for the enrollment of Lela Edna Dutton as a citizen by blood of the Choctaw Nation.

Respectfully,

Chairman.

Registered.

Incl. 7-5245.

Choc 5246 Lelia Thorn

Nos 3-4 Dismissed Oct 25/1904

9425

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the application for the enrollment as citizens by blood of the Choctaw Nation of-

WILLIAM EARNEST THORN, ET AL. 7-5246.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES OF INDIANS.

IN RE, Application for Enrollment, as a citizen of the Chickasaw Nation, of William Earnest Thorn, born on the 5th, day of May, 1899.

Name of father, W. A. Thorn, a citizen of the ~~Choctaw Nation~~ United States.

Name of mother Leler Thorn, a citizen of the ~~United States~~.

Post Office, Willis, Ind. Ter.

Affidavit of Mother.

United States of America,

Indian Territory,

Southern District.

I, Leler Thorn, on oath state, that I am 24 years of age and a citizen, ~~by of the United States~~; that I am the lawful wife of W. A. Thorn, who is a citizen ~~by blood of the Choctaw Nation~~; that a child was born to me on the 5th, day of May, 1899; that said child has been named, William Earnest Thorn, and is now living.

Subscribed and sworn to before me, this the 31st day of ~~July~~ August, 1899

Notary Public.

Affidavit of attending Physician, or Midwife.

United States of America,
Indian Territory,
Southern District.

I, Mrs. Alice Dutton, a midwife, on oath state; that I attended on Mrs. Leler Thorn, wife of W.A.Thorn, on the 5th, day of May, 1899; that there was born to her on said date a male child; that said child is now living and is said to have been named William Ernest Thorn.

Subscribed and sworn to before me, this 31st day of ~~July~~ August, 1899.

Notary Public.

Card, N. 5:0

CHOCTAW. 20 INDEXED

IN RE

Application for Enrollment of

INFANT CHILD

James Burris Thom

as a citizen of

Choctaw Nation.

Approved JUN 28 1901, 190

C. R. Breckinridge

Commissioner.

[illegible] THE INTERIOR
[illegible] TO THE FIVE CIVILIZED [illegible]
FILED
JUN 28 1901

CHOCTAW.
7- 524

BIRTH AFFIDAVIT. 20

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of James Burris Thorn (Here insert name of child), born on the 13 day of May, 1901

Name of Father: W. A. Thorn, a citizen of the Choctaw Nation.

Name of Mother: Leler Thorn, a citizen of the Choctaw Nation.

Post-office, Kingston Ind Ter

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Southern District.

I, Leler Thorn, on oath state that I am 26 years of age and a citizen, by Blood, of the Choctaw Nation; that I am the lawful wife of W. A. Thorn, who is a citizen, by Inter Marriage of the Choctaw Nation, that a Male (male or female) child was born to me on the 13 day of May 1901; that said child has been named James Burris Thorn, and is now living.

Leler Thorn

(Must be Two Witnesses) WITNESSES TO MARK
B. C. Archerd.
W. Wade

Subscribed and sworn to before me this 14 *day of* June *1901.*

Wilbern Wade NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Southern District.

I, Mrs. L. J. Malone, a ..., on oath state that I attended on Mrs. Leler Thorn, wife of W. A. Thorn, on the 13 day of May, 1901; that there was born to her on said date a Male (male or female) child; that said child is now living and is said to have been named James Burris Thorn

L J malone

(Must be Two Witnesses) WITNESSES TO MARK
B. C. Archerd.
W. Wade

Subscribed and sworn to before me this 14 *day of* June *1901.*

Wilbern Wade NOTARY PUBLIC.

D6/D

7-5246.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-- -o----

In the matter of the application for the enrollment of William Earnest Thorn and James Burris Thorn as citizens by blood of the Choctaw Nation.

----o----

The applicants, William Earnest Thorn and James Burris Thorn, claim their rights to enrollment as citizens by blood of the Choctaw Nation through their mother Lelia Thorn. The right of the applicants' mother, Lelia Thorn, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, June 29, 1904, in case No. 97 upon the Tishomingo docket of said court, it is hereby ordered that the applications of William Earnest Thorn and James Burris Thorn for enrollment as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Chairman.

Muskogee, Indian Territory,

OCT 25 1904

Choctaw 8888

COPY.

Muskogee, Indian Territory, October 25, 1904.

W. A. Thorn,

Kingston, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated October 25, 1904, dismissing the application for the enrollment of William Earnest Thorn and James Burris Thorn as citizens by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

Tams Bixby

Chairman.

Registered.

Incl. 7-8846.

Choctaw 5246

COPY.

Muskogee, Indian Territory, October 25, 1904.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission, dated October 25, 1904, dismissing the application for the enrollment of William Earnest Thorn and James Burris Thorn as citizens by blood of the Choctaw Nation.

Respectfully,

Inol. 7-5246.

Chairman.

Muskogee, Indian Territory, June 19, 1902

W. A. Thorn,

Kingston, Indian Territory.

Dear Sir:

The Commission is in receipt of the application for enrollment as a citizen of the Choctaw Nation of James Burris Thorn, the infant son of W. A. and Lelia Thorn, born May 13, 1901, and the same is returned to you for the reason that the Notary Public taking the acknowledgement of the nurse neglected to affix his impression seal to the affidavit. Upon return of this application with the seal properly attached to the affidavit of the attending nurse the matter of the enrollment of your child will receive further consideration.

Yours truly,

7-5246.

Commissioner in charge.

Muskogee, Indian Territory, June 28, 1901.

Mr. W. A. Thorn,

Kingston, Indian Territory.

Dear Sir:

The Commission is in receipt of an application for enrollment as a citizen of the Choctaw Nation of James Harris Thorn, the infant son of W. A. and Lelia Thorn, born May 15, 1901, and the same being in proper form has been duly filed with the records of the Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Commissioner in Charge.

9-5346

HeM

Choctaw 5246

Muskogee, Indian Territory, September 2, 1903.

W. A. Thorn,

Kingston, Indian Territory,

Dear Sir:

Your letter of August 14, addressed to the Secretary of the Interior, has been by him referred to this Commission for consideration and appropriate action. You ask thereby concerning the right to allotment of your wife and children, who, you say, are Choctaw citizens.

In reply to your letter you are informed that it appears from our records that Lelia Thorn and Mattie V., William E. and James Burris Thorn, wife and children of W. A. Thorn, were admitted to citizenship in the Choctaw Nation by a judgment of the United States Court for the Southern District of the Indian Territory, rendered at Ardmore, June 23, 1897, in court case, Number 132. Under the provisions of the act of Congress of July 1, 1902, which was ratified by the Choctaw and Chickasaw nations on September 25, 1902, the Commission is without authority to enroll or make any allotment in the Choctaw and Chickasaw Nations to persons whose citizenship is dependent upon judgments of the United States Courts in Indian Territory, until their rights to such citizenship are finally determined.

Respectfully,

Chairman.

Court Card C. 291

Case of Lelia Thorn and others.

xxxxxxxxx Needles,

Lela Thorn says:

I have lived in the Chickasaw Nation in the neighborhood of Willis, about 17 years. My father was Henry and my mothe Harriet Dutton. I have applied to the Choctaw authorities, but have not been recognized by them. I am renting land. I have been renting land about 3 y ears.

Oct. 4 1898.

Lelia Thorn
Hattie B. Thorn

enrolled.

Choc 5247 Roy Dutton

LHCS

Q 292

Roy Dutton.

xxxxxxxx Needles,

Mary Blain says:

The father of Roy Dutton was John Dutton. He is dead. Roy Dutton is my son. His father has been dead about 3 years.

He was son of Henry and Harriet Dutton. Roy has been living in the Territory all his life.

Roy Dutton

Oct. 4 1898.

enrolled.

Muskogee, Indian Territory, May 16, 1900.

Mr. Thomas Blaine,

Coalgate, Indian Territory,

Dear Sir:

The Commission is in receipt of your letter of May 13th, giving information as to your step son, Henry Leroy Dutton, and in which you state that his mother gave his name, when she appeared before the Commission, as Roy Dutton, and that his father's name was John Dutton. The information contained in your letter has enabled the Commission to identify this boy as having been duly listed for enrollment as a citizen of the Choctaw Nation. He appears upon the record as Roy Dutton, five years of age,, Coalgate, Atoka County, Choctaw Nation, and was listed for enrollment by this Commission October 4th, 1898, pursuant to a judgment of the United States Court for the Central District of Indian Territory, rendered June 23, 1898, in Court case Number 138.

Yours truly,

Acting Chairman.

In reply to this letter,
please refer to T-3292

Choc 5248

mary C. Taylor

8125

Court Card No. 293

of Mary C. Taylor and others.

xxxxxxxxx Needles,

Mary C. Taylor says:

I have lived near Willis, Chickasaw Nation about 8 years. I lived about 30 miles above here about 5 years. My parents were George and Martha Buck. Martha Buck is a Choctaw Indian.

I discovered a long time ago that I was a Choctaw Indian. I have never applied to the Choctaw authorities. I did not just because I did not. My lawyer advised me to apply to the Dawes Commission. I have never been recongnized by the Choctaw authorities. My children have always lived in the Territory.

Oct. 4 1898.

Mary C. Taylor
Andrew Taylor
Jesse Taylor
Ida Taylor
Oscar Taylor
Ora Taylor
Marian Taylor

enrolled.

Choc 5249 Robert Taylor

#2-3 Dismissed Oct 25, 1904

5249

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the application for the enrollment as citizens by blood of the Choctaw Nation of-

BERTHA LOU TAYLOR, ET AL. 7-5249

Certificate of Record of Marriage.

UNITED STATES OF AMERICA,
THE INDIAN TERRITORY,
THE JUDICIAL DIVISION,

I, JOSEPH W. PHILLIPS, Clerk of the United States Court in the Territory and Division aforesaid,

DO HEREBY CERTIFY that the annexed and foregoing is a true and correct copy of the Marriage of

Mr [illegible]

Miss Maitland

were filed in my office in said Territory and Division the 21 day of Oct A.D. 1893 and duly recorded in Book [illegible] Marriage Records page 32

WITNESS my hand and seal of said Court at Ardmore this 25 day of Oct A.D. 1893

JOSEPH W. PHILLIPS, Clerk

By S. M. Seaman Deputy

MARRIAGE LICENSE

United States of America
THE INDIAN TERRITORY,
THIRD JUDICIAL DIVISION.

ss.

To Any Person Authorized by Law to Solemnize Marriage—Greeting:

You are hereby Commanded
to Rite and publish the Banns of Matrimony between
Mr. Robert Taylor of [illegible]
in the Indian Territory, and [illegible] 19
Miss Martha Jack [illegible] Yarbrough
By an
in the Indian Territory, and 22
according to law and the usages and customs of
to the parties thereto annexed.

WITNESS my hand and Official Seal this [illegible] day of Sept A. D. 1893

[illegible]
CLERK OF THE [illegible] COURT

By [illegible] DEPUTY

CERTIFICATE OF MARRIAGE.

United States of America,
THE INDIAN TERRITORY,
THIRD JUDICIAL DIVISION.

I [illegible]
a [illegible]

DO HEREBY CERTIFY, that on the [illegible] day of [illegible] A. D. 1893
I did duly and according to law, as commanded in the foregoing License, solemnize the Rite and publish the Banns of Matrimony between the parties therein named.

WITNESS my hand this [illegible] day [illegible] A. D. 189

My ordinary fee, $[illegible], received in the Office of the Clerk of the United States Court,
Indian Territory, [illegible] Judicial Division, Book [illegible] Page [illegible]

[illegible]
[illegible]

NOTE.—This License and Certificate of Marriage must be returned to the Office of the Clerk of United States Court in the Indian Territory, from whence it was issued, within sixty days from the date thereof, or the party to whom the License was issued will be liable in the amount of One Hundred Dollars ($100.)

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE, Application for enrollment, as a citizen of the Choctaw Nation of Bertha Lou Taylor, born on the 11th, day of August, 1899.

Name of father: R. L. Taylor, a citizen of the Choctaw Nation by blood.

Name of Mother: Martha C. Taylor, a citizen of the United States.

Post Office: Willis, I. T.

Affidavit of Mother:

United States of America,
Indian Territory,
Southern District.

I, Mrs. Martha C. Taylor, on oath state, that I am 28 years of age, and a citizen of the United States; that I am the lawful wife of R. L. Taylor, who is a citizen of the Choctaw Nation, by blood; that a child was born to me on the 11th, day of August, 1899; that said child has been named Bertha Lou Taylor, and is now living.

Martha C Taylor

Subscribed and sworn to before me, this the 18 day of September, 1899.

C. H. Thomas
Notary Public.

Affidavit of Attending Physician, or Midwife.

United States of America,
Indian Territory,
Southern District.

I, C. B. Martin, a physician, on oath state; that I attended on Mrs. Martha Taylor, wife of R. L. Taylor, on the 11th, day of August, 1899; that there was born to her on said date a female child; that said child is now living and is said to have been named Bertha Lou Taylor.

C B Martin

Subscribed and sworn to before me, this the 18th day of September, 1899.

C H Thomas
Notary Public.

CHOCTAW.

20 INDEXED

IN RE

Application for Enrollment of

INFANT CHILD

Davy Lee Taylor

as a citizen of

Choctaw Nation.

Approved OCT 10 1902 190

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
OCT 10 1902

ACTING CHAIRMAN.

CHOCTAW.

7-5-249

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the [illegible] Nation,

of Dewey Lee Taylor, born on the 19 day of August, 1902

(Here insert name of child.)

Name of Father: Robert L Taylor a citizen of the Choctaw Nation.

Name of Mother: Martha C Taylor a citizen of the Choctaw Nation.

Post-office Willis I.T. R 4

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, }
INDIAN TERRITORY }
Southern District. }

I, Martha C Taylor, on oath state that I am 31 years of age and a citizen, by Marriage, of the Choctaw Nation; that I am the lawful wife of Robert L Taylor, who is a citizen, by blood, of the Choctaw Nation; that a Female child was born to me on 19th day of August 1902 that said child has been named Dewey Lee Taylor, and is now living.

(male or female)

WITNESSES TO MARK: Martha C Taylor

(Must be Two Witnesses.)

Subscribed and sworn to before me this 4th *day of* October 1902

C. H. Brum NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, }
INDIAN TERRITORY, }
Southern District. }

I, C W. Rowland, a Physician on oath state that I attended on Mrs. Martha C Taylor, wife of R. L. Taylor on the 19th day of August, 1902 that there was born to her on said date a Female child: that said child is now living and is said to have been named Dewey Lee Taylor

(male or female)

WITNESSES TO MARK: C. W. Rowland.

(Must be Two Witnesses)

Subscribed and sworn to before me this 4th *day of* October 1902.

C. H. C. Brum NOTARY PUBLIC

JBd

7-5249

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Bertha Lou Taylor and Dovey Lee Taylor as citizens by blood of the Choctaw Nation.

The applicants, Bertha Lou Taylor and Dovey Lee Taylor, claim their right to enrollment as citizens by blood of the Choctaw Nation through their father Robert Taylor. The right of the applicants' father, Robert Taylor, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, June 29, 1904, in case number 97 upon the Tishomingo docket of said court, it is hereby ordered that the application of Bertha Lou Taylor and Dovey Lee Taylor for enrollment as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Muskogee, Indian Territory,

7-8249

COPY.

Muskogee, Indian Territory, October 28, 1904.

Robert Taylor,

Willis, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated October 28, 1904, dismissing the application for the enrollment of your minor children, Bertha Lou Taylor and Dovey Lee Taylor as citizens by blood of the Choctaw Nation.

Respectfully,

SIGNED:

Tams Bixby

Chairman.

Register.

Incl. 7-8249.

7-5248

COPY.

Muskogee, Indian Territory, October 25, 1904.

Mansfield, McMurray and Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission, dated October 25, 1904, dismissing the application for the enrollment of Bertha Lou Taylor and Dovey Lee Taylor as citizens by blood of the Choctaw Nation.

Respectfully,

SIGNED

Tams Bixby

Chairman.

Incl. 7-5248

United States of America)
Indian Territory
Chickasaw Nation
Southern District - }

Before me the undersigned a Notary Public in and for the Southern District - Indian Territory personally appeared G. P. Burk who is well known to me and stated upon oath that he is well acquainted with Robert Taylor and is wife Martha E. Taylor whose maiden name was Martha E Jack and that he has known them both prior to their marriage down to the present time

G. P. Burk

Sworn to and subscribed to before me this November the 6th A.D. 1899

C. H. Thorne
Notary Public
Southern District
Indian Territory

United States of America
Indian Territory
Chickasaw Nation
Indian Territory

1

Before me the undersigned a Notary Public in and for the Southern District Indian Territory personally appeared Mrs C. Buck and states upon oath that she is well acquainted with Robert L Taylor and his wife Mrs Martha L Taylor and that she has known them both prior to their marriage down to the present time Sworn to Buck

Sworn to and Subscribed to before me this the 6th day of November 1899

C. H. Thomas
Notary Public
Southern District
Indian Territory

Court Card No. 294

of Robert Taylor.

(See testimony of Mary C. Taylor, Choctaw Court Card 293).

Robert Taylor

enrolled.

Y-2540.

Muskogee, Indian Territory. October 10, 1906.

Robert L. Taylor,

Willis, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Dovey Lee Taylor, infant daughter of Robert L. and Martha C. Taylor, born August 19, 1902; and the same being in proper form has been duly filed with the records of the Commission, and the child listed for enrollment as a citizen of the Choctaw Nation.

Respectfully,

Commissioner in Charge.

Choc 5250 Callie Bardin

N°2 Dismissed 10-25-04

5250

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the application for the enrollment as a citizen by blood of the Choctaw Nation of-

CALLIE BARDIN 7-5250

Choctaw Court Card C. 295

IN THE application of Virgie Bardin and others.

xxxxxxxxxx Needles,
x

William Bardin says:

My wife Virgie is daughter of Mary C. Taylor.

I married her 3 years ago. We have one child: Callie.

Lebanon, Oct. 4 1898.

Virgie Bardin
Callie Bardin

---

enrolled.

THOS. C. ROLLINS,
DEALER IN
Drugs and Medicines
OAKLAND, IND. T.



RAMON'S LIVER PILLS
AND TONIC PELLETS
Cure Constipation and Biliousness.

RAMON'S PEPSIN Chill Tonic
TASTELESS AND GUARANTEED.

Date Sept. 20th 1898

This is to certify that I was present and delivered Mrs. V. E. Bardin of an infant (Girl) on the night of Sept 15th 1898.

J. S. Micah M.D.
Oakland I.T.
Sept 20th 1898.

Subscribed and Sworn to before me this Sept. 20. 1898

Isaac L. Lewis
Notary Public

7-5250.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

----o----

In the matter of the application for the enrollment of Callie Bardin as a citizen by blood of the Choctaw Nation.

----o----

The applicant, Callie Bardin, claims her right to enrollment as a citizen by blood of the Choctaw Nation through her mother Virgie Bardin. The right of the applicant's mother, Virgie Bardin, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, June 29, 1904, in case No. 97 upon the Tishomingo docket of said court, it is hereby ordered that the application of Callie Bardin for enrollment as a citizen by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Chairman.

Muskogee, Indian Territory,

T-5250

COPY.

Muskogee, Indian Territory, October 25, 1904.

Virgie Bardin,

Oakland, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated October 25, 1904, dismissing the application for the enrollment of your minor daughter, Callie Bardin as a citizen-by blood of the Choctaw Nation.

Respectfully,

Tams Bixby

Chairman.

Registered.

Incl. T-5250.

7-5250

COPY.

Muskogee, Indian Territory, October 25, 1904.

Mansfield, McMurray and Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission, dated October 25, 1904, dismissing the application for the enrollment of Callie Bardin as a citizen by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

Tams Bixby

Chairman.

Incl. 7-5250.

Y.W.C.B.

COMMISSIONERS:
TAMS BIXBY,
THOMAS B. NEEDLES,
C. B. BRECKINRIDGE.

WM. O. BEALL,
Secretary

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING
7-5250

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, October 25, 1904.

Virgie Bardin,

Oakland, Indian Territory.

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated October 25, 1904, dismissing the application for the enrollment of your minor daughter, Callie Bardin as a citizen by blood of the Choctaw Nation.

Respectfully,

Chairman.

Registered.

Incl. 7-5250.

Choc 5251 Joseph F. Buck

#3 Dismissed OCT 25, 1904

5251

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the application for the enrollment as a citizen by blood of the Choctaw Nation of-

CECIL MARTIN BUCK 7-5251

CHOCTAW.

20 INDEXED

IN RE

Application for Enrollment of

INFANT CHILD

Orie Martin Buck

as a citizen of

Choctaw Nation.

Approved APR 11 1902 190.

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
APR 14 1902

ACTING CHAIRMAN.

5251

BIRTH AFFIDAVIT. 20

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,

of Cecil Martin Buck (Here insert name of child.) born on the 27 day of March, 1902

Name of Father: Joseph Franklin Buck a citizen of the Choctaw Nation.

Name of Mother: Julia ann Buck a citizen of the ... Nation.

Post-office Kingston Ind Ty

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY
Southern District.

I, Julia Ann Buck, on oath state that I am 36 years of age and a citizen, by ..., of the ... Nation; that I am the lawful wife of Joseph Franklin Buck, who is a citizen, by Blood, of the Choctaw Nation; that a Male (male or female) child was born to me on 27 day of March 1902 that said child has been named Cecil Martin Buck, and is now living.

Julia Ann Buck

WITNESSES TO MARK:

(Must be Two Witnesses.)

Rosa A Taylor

Subscribed and sworn to before me this 9 *day of* April A.D. 1902.

J M Jaye
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY,
Southern District,

I, C. B. Martin, a Physician, on oath state that I attended on Mrs. Julia ann Buck, wife of Joseph Franklin Buck on the 27 day of March, 1902; that there was born to her on said date a Male (male or female.) child; that said child is now living and is said to have been named Cecil Martin Buck

WITNESSES TO MARK:

(Must be Two Witnesses.)

Rosa A Taylor

C. B. Martin, M. D.

Rosa A Taylor

Subscribed and sworn to before me this 9 *day of* April A.D. 1902.

J M Jaye
NOTARY PUBLIC

Hdd

7-5251

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Ceicil Martin Buck as a citizen by blood of the Choctaw Nation.

The applicant, Ceicil Martin Buck, claims his right to enrollment as a citizen by blood of the Choctaw Nation through his father Joseph F. Buck. The right of the applicant's father, Joseph F. Buck, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, June 29, 1904, in case number 97 upon the Tishomingo docket of said court, it is hereby ordered that the application of Ceicil Martin Buck for enrollment as a citizen by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Muskogee, Indian Territory,
OCT 25 1904

COPY. 7-5251

Muskogee, Indian Territory, October 25, 1904.

Joseph F. Buck,

Kingston, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated October 25, 1904, dismissing the application for the enrollment of your minor son, Cecil Martin Buck as a citizen by blood of the Choctaw Nation.

Respectfully,

Tams Bixby

Chairman.

Registered.

Incl. 7-5251.

7-5201

COPY.

Muskogee, Indian Territory, October 25, 1904.

Mansfield, McMurray and Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission, dated October 25, 1904, dismissing the application for the enrollment of Celcil Martin Buck as a citizen by blood of the Choctaw Nation.

Respectfully,

Tams Bixby

Chairman.

Incl. 7-5251.

[illegible]

[illegible]-6858

Muskogee, Indian Territory, April 14, 1903.

Joseph F. Buck,
Kingston, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Odell Martin Buck, infant son of Joseph F. and Julia Ann Buck, born March 27, 1902, and the same being in proper form has been duly filed with the records of the Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Acting Chairman.

7-8251.

Muskogee, Indian Territory, October 9, 1903.

J. F. Buck,

Kingston, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of September 14, 1903, addressed to the Secretary of the Interior, which has been by him referred to this Commission for consideration and appropriate action.

You ask therein what court will pass upon your claim for citizenship in the Choctaw Nation.

In reply to your letter you are informed that it appears from our records that your case is now pending before the Choctaw-Chickasaw Citizenship Court, and if you desire information relative thereto you should address the Clerk of that court at South McAlester, Indian Territory.

Respectfully,

Chairman.

Card. O. 296

of Joseph F. Buck and others.

xxxxxxxx Needles,

Joseph F. Buck says:

I live near Willis, Chickasaw Nation. My fahher and mother are Martha and George Buck. I have lived here continuously 11 years. I get my Indian blood from Martha Buck. My mother derived her Indian blood from her mother. I do not remember her name. I have always heard that I was a Choctaw. I never applied to the Choctaw authorities. My father made applucation for me. I have never been recognized as an Indian. I rented land one year. I have been using land without renting for 10 years. Nobody questions my right z I have put land in cultivation for the use of it. My child has been living in the Territory since it was born.
(The child Erastus was boorn since date of Judgment. Affidavit of birth to be supplied.)

Lebanon, Oct. 4 1898.

Joseph F. Buck
Erastus Buck

enrolled.

Choc 5252 Elizabeth Bingham

#2-3 Dismissed oct 25, 1904

5252

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES

Record in the matter of the application for the enrollment as a citizen by blood of the Choctaw Nation of-

WILLIAM P. BIGHAM, et al., 7-5252.

20

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation.

of William P Bigham, born on the 2nd day of March, 1899.

Name of father: Bone Bigham, a citizen of the United States Nation.

Name of mother: Elizabeth Bigham, a citizen of the Cherokee Nation.

Post Office: Eastern Ind Ter,

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Southern District.

I, Elizabeth Bigham, on oath, state that I am 27 years of age and a citizen, by Blood, of the Cherokee Nation; that I am the lawful wife of Bone Bigham who is a citizen, by Intermarriage, of the Cherokee Nation; that a male child was born to me on the 2nd day of March, 1899: that said child has been named William P. Bigham and is now living.

Elizabeth Bigham

Subscribed and sworn to before me this 17th day of February, 1900.

C. McInnes

Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Southern District.

I, C. B. Martin, a Physician, on oath, state that I attended on Mrs. William P. Bigham, wife of Bone Bigham on the 2nd day of March, 1899: that there was born to her on said date a male child; that said child is now living and is said to have been named William P. Bigham.

C. B. Martin

Subscribed and sworn to before me this 6th day of February, 1900.

C. McInnes

Notary Public.

Choctaw

20

IN RE

Application for Enrollment of

INFANT CHILD

Charles B Bigham

as a citizen of

Choctaw Nation.

Approved, Dec 26th 1900

Commissioner.

4

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
DEC 26 1900

ACTING CHAIRMAN.

Choctaw 5252

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Charles B Bigham (Here insert name of child), born on the 5 day of Nov, 1900
Name of Father: Bronie Bigham, a citizen of the Mn Citizen Nation.
Name of Mother: Elizabeth Bigham, a citizen of the Choctaw Nation.
Post-office, Eastman Ind Ty

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Southern District.

I, Elizabeth Bigham, on oath state that I am 24 years of age and a citizen, by Birth, of the Choctaw Nation; that I am the lawful wife of Bronie Bigham, who is a citizen, by , of the Mn Citizen Nation; that a Male (male or female) child was born to me on the 5 day of Nov. 1900; that said child has been named Charles B Bigham, and is now living.

Elizabeth Bigham

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this 22 *day of* Dec 190 0

D L Bartholl
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Southern District.

I, Mary Rasberry, a Midwife, on oath state that I attended on Mrs. Elizabeth Bigham, wife of Bronie Bigham, on the 5 day of Nov. 1900 that there was born to her on said date a Male child; that said child is now living and is said to have been named Charles B Bigham.

Mary Rasberry

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this 22 *day of* Dec 190 0

D L Bartholl
NOTARY PUBLIC

7-5252

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of William P. Bigham and Charles B. Bigham as citizens by blood of the Choctaw Nation.

The applicants, William P. Bigham and Charles B. Bigham, claim their rights to enrollment as citizens by blood of the Choctaw Nation through their mother Elizabeth Bigham. The right of the applicants' mother, Elizabeth Bigham, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, June 29, 1904, in case number 97 upon the Tishomingo docket of said court, it is hereby ordered that the application of William P. Bigham and Charles B. Bigham for enrollment as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Muskogee, Indian Territory,
(1)

COPY. 7-5252

Muskogee, Indian Territory, October 25, 1904.

Boone Bigham,

Eastman, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated October 25, 1904, dismissing the application for the enrollment of your minor children, William P. Bigham and Charles B. Bigham as citizens by blood of the Choctaw Nation.

Respectfully,

SIGNED

Tams Bixby

Chairman.

Registered.

Incl. 7-5252.

7-5252

COPY.

Muskogee, Indian Territory, October 25, 1904.

Mansfield, McMurray and Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission, dated October 25, 1904, dismissing the application for the enrollment of William P. Bigham and Charles B. Bigham as citizens by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

Tams Bixby

Chairman.

Incl. 7-5252.

Muskogee, Indian Territory, December 3, 1900.

Been Bingham,

Eastman, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of the 26th instant relative to the enrollment of a child that has recently been born to you, and in which you request that a blank application for such purpose be forwarded you.

In accordance with your request there is enclosed you herewith a blank of the description desired. In having the same executed, be careful to see that all blanks are properly filled, all names written in full and in the event either the mother or attending physician or nurse making affidavit to the birth of the child are unable to write and their signatures are by mark, that such signatures are attested by two disinterested parties as witnesses thereto. The Notary Public taking the acknowledgements of the mother and attending physician or nurse must affix his notarial signature and seal to each separate affidavit.

You also request the Commission to inform you relative to two children whose names were not included in the judgment by which you were admitted to citizenship in the Choctaw Nation and if there is any chance for them to be enrolled.

You are informed that these children of whom you inquire were not included in the original application made to the Commission under the act of Congress of June 10th, 1896, in the case by which you applied for citizenship in the Choctaw Nation and if the children

H H H

were living at that time this Commission is now without authority to enroll them. If however, the children have been born since the filing of the original application made by you under the act above referred to, these children will be entitled to be listed for enrollment upon the presentation of the proper affidavits as to their birth.

Yours truly,

Acting Chairman.

In reply please
refer to 7-5252

EC

Muskogee, Indian Territory, December 26, 1900.

Mr. Boone Bigham.

Eastman, Ind. Ter.

Dear Sir:-

The Commission is in receipt of the application for enrollment as a citizen of the Choctaw Nation, of Charles B. Bigham, the infant son of Boone and Elizabeth Bigham, born November 5, 1900, and the same being in proper form, has been duly filed with the records of this Commission, and the child listed for enrollment as a citizen of the Choctaw Nation.

Your attention is called to the discrepancy in the spelling of the surname of your family. The name as it appears upon the field cards, is spelled Bingham, while in your affidavit, it is spelled Bigham.

Kindly inform the Commission with as little delay as possible, as to the correct way of spelling your surname, and oblige.

Respectfully.

T-2631.

Acting Chairman.

Muskogee, Indian Territory, January 11, 1901.

Boone Bigham,

Eastman, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of the 4th instant containing information as to the correct spelling of your name, in which you state that Bigham and not Bingham, is correct.

The same has been made a matter of record with the Commission.

Yours truly,

Acting Chairman.

7-5252

Card C. 297

of Elizabeth Bingham and others.

xxxxxxxxxxxxx Needles,

Boon Q.Bingham says:

My wife Elizabeth is daughter of Mary C. Taylor . My wife has 3 ch ildren. Three were born at date of judgment. One has been born since: Willie B.

Lebanon, Oct. 4 1898.

Elizabeth Bingham
William P. Bingham

enrolled.

Cloc 5253 ora A. Jacks

#3-4 Dismissed 10-25-04

5253

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the application for enrollment as citizens by blood of the Choctaw Nation of-

JOHN ALFRED JACKS, ET AL. 7- 5253

(Court Case) J. 298

of Ora A. Jacks and others.

xxxxxxxxx Needles,

W.P.Jacks says:

I live near Willis, Chickasaw Nation. My wife lived there when I married her. She was raised there. Her father and mother were George and Martha Buck. I do not know the mother of Martha Buck. My wife never applied to the Choctaw authorities for admission. She has never been recognized. I am now leasing land. She claimed when I married her that she was a Choctaw. Our children are all living in the Chickasaw Nation.

I am leasing land from Jesse Hays. Frank is leasing land from Henry Bourland.

Lebanon. Oct. 4 1898.

Ora A. Jacks
George W. Jacks
John A. Jacks

enrolled.

Powell, S. T., Oct 4th 1892

I do Hereby certify That I am a graduate of medicine & regular practicing Physician & That I attended the birth of Mrs. N. P. Jacks child born of Mrs Ella Helen Jacks Oct. 2nd 1892, And the child is now living & is named John H. Jacks, Jas. C. Hunt. M.D.

United States of America, Northern District and Territory. Know all men by these Presents this the 4th day of October 1892 personally Appeared before me a Notary Public in and for the Northern District of the said Territory Jas. C. Hunt who is well known to me as the person whose name appears as signer of the foregoing instrument and after being duly sworn declared and says that the foregoing statements are the facts in the case and

and Seal of Office

L. C. Powell
Notary Public

9541
CHOCTAW.

Enc j 8

RECEIVED

IN RE

Application for Enrollment of

INFANT CHILD

Josie Magnolia Jacks

a new citizen of

Choctaw Nation.

Approved JUN 27 1901 190

C. R. Breckinridge

Commissioner.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
JUN 27 1901

ACTING CHAIRMAN

CHOCTAW.
5253

BIRTH AFFIDAVIT. 20 1

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation.

of Jamie Magnolia Jacks, born on the 23rd day of December, 1900

(Here insert name of child)

Name of Father: W. P. Jacks, a citizen of the Choctaw Nation.

Name of Mother: Ora Allen Jacks a citizen of the Choctaw Nation.

Post-office. Kingston Ind. Ter

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Southern District.

I, Ora Allen Jacks, on oath state that I am 26 years of age and a citizen, by Blood, of the Choctaw Nation; that I am the lawful wife of W P Jacks, who is a citizen, by Marriage, of the Choctaw Nation, that a Female child (male or female) was born to me on the 23rd day of December 1900; that said child has been named Jamie Magnolia Jacks, and is now living.

Ora Allen Jacks

WITNESSES TO MARK

(Must be Two Witnesses) J. H. Watterson, W. Wade.

Subscribed and sworn to before me this 8th *day of* May *1901.*

Wilbern Wade NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Southern District.

I, T. J. Garner, a Physician, on oath state that I attended on Mrs. Ora Allen Jacks, wife of W. P. Jacks, on the 23 day of December, 1900; that there was born to her on said date a female (male or female.) child; that said child is now living and is said to have been named Jamie Magnolia Jacks

T. J. Garner M D

WITNESSES TO MARK:

(Must be Two Witnesses) J. H. Watterson, W. P. Rope

Subscribed and sworn to before me this 8 *day of* May *1901.*

Wilbern Wade NOTARY PUBLIC.

1 2

DBD

7-5253.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

----o----

In the matter of the application for the enrollment of John Alfred Jacks and Janie Magnolia Jacks as citizens by blood of the Choctaw Nation.

----o----

The applicants, John Alfred Jacks and Janie Magnolia Jacks, claim their rights to enrollment as citizens by blood of the Choctaw Nation through their mother Ara A. Jacks. The right of the applicants' mother, Ara A. Jacks, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, June 29, 1904, in case number 97 upon the Tishomingo docket of said court, it is hereby ordered that the application of John Alfred Jacks and Janie Magnolia Jacks for enrollment as citizens by bloodof the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Chairman.

Muskogee, Indian Territory,

OCT [illegible] 1904

COPY. 7-5254

Muskogee, Indian Territory, October 25, 1904.

W. P. Jacks,

Kingston, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated October 25, 1904, dismissing the application for the enrollment of your minor children John Alfred Jacks and Janie Magnolia Jacks as citizens by blood of the Choctaw Nation.

Respectfully,

Chairman.

Registered.

Incl. 7-5253.

COPY.

Muskogee, Indian Territory, October 25, 1904.

Herbert and Cannon,

Attorneys at Law,

Ardmore, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated October 25, 1904, dismissing the application for the enrollment of John Alfred Jacks and Janie Magnolia Jacks as citizens by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

Chairman.

Registered.

Incl 7-5253.

7-5253

COPY.

Muskogee, Indian Territory, October 26, 1904.

Hardy, Franklin and Slough,

Attorneys at Law,

Madill, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated October 25, 1904, dismissing the application for the enrollment of John Alfred Jacks and Janie Magnolia Jacks as citizens by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

Tams Bixby

Chairman.

Registered.

Incl. 7-5253.

7-5253

COPY.

Muskogee, Indian Territory, October 26, 1904.

Mansfield, McMurray and Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission, dated October 25, 1904, dismissing the application for the enrollment of John Alfred Jacks and Janie Magnolia Jacks as citizens by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

Tams Bixby

Chairman.

Incl. 7-5253.

Muskogee, Indian Territory, February 1, 1901.

Mrs. J. F. O'Brien,

Oakland, Indian Territory.

Dear Madam:

The Commission is in receipt of your letter of the 22nd instant in which you desire to be informed if the name of Ora Buck or Ora Jack and that of her husband, are upon the rolls of citizens of the Choctaw Nation.

You are informed that the records of this Commission show that Ora A. Jacks, 23 years of age, and her two children George W. and John A. Jacks were listed for enrollment as citizens of the Choctaw nation, October 4th, 1898, having been admitted to such citizenship by judgment of the United States Court for the Southern District of the Indian territory rendered at Ardmore, I. T. on June 23rd, 1898, in court case No. 132.

The husband of Ora Jacks, W. P. Jacks, appears upon our record as a non citizen white man.

You also desire that the Commission inform you as to the procedure to stop non citizens from building a town on land that you desire to take as your prospective allotment. You are informed that the Commission cannot at this time consider the merits of any controversies arising between citizens of the Choctaw and Chickasaw nations relative to the possession of any certain tracts of land in these two Nations. This is a matter which will properly come before a land office when such is established in the Choctaw Chickasaw

Yours truly,

Acting Chairman.

Muskogee, Indian Territory, March 1, 1901.

Norbert & Cannon,

Attorneys at Law,

Ardmore, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of the 25rd of February enclosing proof of birth of Janie Magnolia Jacks, who you desire to have enrolled as a citizen of the Choctaw Nation.

You state in your letter that the mother of this child is Ora A. Jacks, a member of the Choctaw Nation by blood and so decreed by the United States Court.

The proof of birth of this child is returned to you herewith for the reason that it is not in proper form to be accepted by the Commission. For the purpose of enrollment of infant children, the Commission uses a blank, one of which is enclosed you herewith, upon which may be stated all the information necessary to the enrollment of an infant child. In having the same executed be careful to see that all blanks are properly filled, all names written in full and in the event either the mother or attending physician or nurse making affidavit to the birth of the child are unable to write and their signatures are by mark, that such signatures are attested by two disinterested parties as witnesses thereto. The Notary Public taking the acknowledgements of the mother and attending physician or nurse mustaffix his notarial jurat and seal to each separate affidavit.

R & C.S.

If accuracy in the application that this child should [illegible] Japan, who born on the 22nd of September, 1939, while the affidavit of T. J. Gardner, the attending physician at the birth of the child is acknowledged as of the 5th day of December, 1941.

Upon receipt of the application for the enrollment of this child in proper form, the matter will be given further consideration.

Yours truly,

Acting Chairman.

Enc as

WS

7-8263

Muskogee, Indian Territory, April 15, 1901.

Messrs. Hardy, Franklin & Clough,
Attorneys at Law,
Ashland, Indian Territory.

Gentlemen:-

Receipt is hereby acknowledged of your letter of the 10th inst., requesting to be informed as to whether or not the name of Janie Magnolia Jacks, the infant daughter of W. T. and Ora Allen Jacks, born December 23, 1900, appears upon the records of the Commission as listed for enrollment as a citizen of the Choctaw Nation. If not, you desire to be supplied with a blank birth certificate.

You are informed that the records of the Commission do not disclose the name of Janie Magnolia Jacks as listed for enrollment as a citizen of the Choctaw Nation. A blank of the description you request is enclosed you herewith.

Yours truly,

Acting Chairman.

E.C.
7-8253

Muskogee, Indian Territory, June 27, 1902.

Messrs. Hardy, Franklin & Blough,
Attorneys at Law,
McAlester, Indian Territory.

Gentlemen:

The Commission is in receipt of an application for enrollment as a citizen of the Choctaw Nation of Jessie Magnolia Jacks, the infant daughter of W. P. and Ora Allen Jacks, born December 25, 1900, and the same being in proper form has been duly filed with the records of the Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Commissioner in charge.

9-3868

Muskogee, Indian Territory, October 18, 1901.

Messrs. Herbert & Cannon,
Attorneys at Law,
Ardmore, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of the 14th instant, in which you enclose an application for enrollment as a citizen of the Choctaw Nation of Janie Magnolia Jacks, the infant daughter of W. P. and Ora A. Jacks, born December 23, 1900, together with a certified copy of the marriage license and certificate of W.P. Jack and Ora Busk.

The application for the enrollment of the child and the certified copy of the marriage license and certificate are returned you herewith, with the information that on June 27, 1901, the Commission accepted and filed an application for the enrollment of Janie Magnolia Jacks, a copy of the receipt of the same having on that date been mailed to Messrs. Hardy, Franklin & Slough, attorneys at law, Madill, Indian Territory, by whom the application was submitted.

Yours truly,

7-5253
MeM
9

Acting Chairman.

[illegible].

Muskogee, Indian Territory, August 8, 1902.

Mrs A. Jacks,

Kingston, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of the 4th inst., requesting to be advised what action was taken by the Commission upon the application for enrollment of your infant daughter, Janie Magnolia Jacks.

You are informed that the application for enrollment as a citizen of the Choctaw Nation of Janie Magnolia Jacks, infant daughter of W. P. and Mrs Allen Jacks, born December 23, 1900, was received by this Commission June 27, 1901; and the application being in proper form was duly filed with the records of the Commission and the child listed for enrollment as a citizen of the Choctaw Nation; and due acknowledgment of its receipt made to Hardy, Franklin & Slough, Attorneys at Law, Madill, Indian Territory, on the same date.

Yours truly,

Acting Chairman.

Choc 5254 Lela G. Parker

№3 Dismissed 10-25-04

5254

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the application for the enrollment as a citizen by blood of the Choctaw Nation of-

CLARENCE HUBBARD PARKER 7-5254

9-D-121

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Tishomingo, Indian Territory, November 4, 1902.

In the matter of the application for enrollment of Alice I. Parker as a citizen by intermarriage of the Chickasaw Nation.

Said Alice I. Parker, being first duly sworn, testified as follows:

Examination by the Commission.

Q What is your name? A Alice I. Parker.
Q What is your age? A Thirty-two years old.
Q What is your postoffice address? A Sulphur.
Q You claim right to enrollment as an intermarried citizen of the Chickasaw Nation? A Yes sir.
Q What is the name of your husband through whom you claim the right to enrollment? A John Wesley Parker.
Q Is he living? A Yes sir.
Q When were you married to him? A I was married first to him in 1892.
Q Under what law? A United States law.
Q Did you marry him again under the Chickasaw law? A Yes sir, in 1897.
Q You procured a Chickasaw marriage license at that time? A Yes sir.
Q How long had you been living in the Chickasaw Nation at the time of your marriage to him in 1897? A I'd been living here from the time we married in '92 until we married in 1897.
Q How long had he been living in the Chickasaw Nation prior to your marriage to him? A All his life, I think.
Q Have you continued to reside in the Chickasaw Nation from the time of your marriage to the present time? A Yes sir.
Q You have never been outside of the Indian Territory since your marriage to establish a residence or make a home? A No sir.
Q Have you and your husband lived together continuously as husband and wife since the time of your marriage in 1897? A Yes sir.
Q Been no separation of any kind or character? A No sir.
Q Was he your first husband? A Yes sir.
Q Are you his first wife? A Yes sir.
Q How many children have been born to yourself and your husband John Wesley Parker? A Four.
Q What are their names? A Ella Rennie Parker.
Q What is the next one? A Emily Frazier Parker.
Q Next one? A Douglas H. J. Parker.
Q What is the next child? A Meta C. Parker.
Q Those are all the children that you have had? A Yes sir.
Q Are they all living? A All but one, Meta is dead.
Q When did she die? A The fourth of June this year.
Q You never had a child, then, by the name of Clarence Hubbard Parker?
A No sir.
Q Do you know any child by that name? A No sir.

Witness excused.

John Wesley Parker, being first duly sworn, testified as follows:

Examination by the Commission.

Q What is your name? A John Wesley Parker.
Q What is your age? A About fifty years old.
Q What is your postoffice address? A Sulphur Springs.
Q Indian Territory? A Yes sir.
Q Are you the husband of Alice I. Parker? A Yes sir.
Q How many children have you and your wife had? A We had four.
Q Did you ever have a child by the name of Clarence Hubbard Parker?
A No sir.
Q Did you ever know a child by that name? A No sir.
Q Do you know how it happens that a child by the name of Clarence Hubbard Parker is enrolled with your family? A No, I don't; it was a mistake in the name.
Q Who gave in the names of your family to the Dawes Commission when they were taking the census in 1898? A I was chairman of the first Commission, under Wolf, I was interpreter and chairman too.
Q When the Dawes Commission made the rolls four years ago? A No, when they first came out here to treat with us.
Q Do you know who gave in the names of your children four years ago when we were taking the census? A I gave in the names.
Q You don't remember having given in the name of Clarence Hubbard Parker? A No sir; I was a member of the Legislature and I went to Berwynto get Colbert to get out marriage license --I went to Lebanon to register there.
Q This child, Douglas H. J. Parker, was he called Douglas from the time he was born? A Yes sir.
Q Never had any other name? A No sir.

Ira S. Niles, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause, heard at Tishomingo, Indian Territory, November 4, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said proceedings on said date.

Ira S. Niles

Subscribed and sworn to before me this the 7th day of November, 1902.

Charles McSampers

Notary Public.

Ned

9-027.

Muskogee, Indian Territory. November 8, 1902.

James O. Hunt, M.D.,

Willis, Indian Territory.

Dear Sir:

On January 11, 1899, you made affidavit before L.E. Powell that you was present as attending physician at the birth on October 7, 1898, of an infant son of Mr. and Mrs. John T. Parker and that the child was said to have been named Clarence Hubbard Parker.

If you are now able to do so, please state the age and full name of the mother of the child, whether she was a citizen by blood or intermarriage of the Choctaw or Chickasaw Nation, and the post office address of the parents of the child if they are now living.

An envelope for your reply is enclosed herewith, and the Commission will appreciate your prompt attention to this matter.

Respectfully,

Tams Bixby.

Acting Chairman.

7-5254

Shay P. O. Pickens Co. Ind Ter. Feb. 20th. 1903.

The Commission,

Muskogee, Ind. Ter.

Gentlemen, I received your letters a few days ago, I live some distance from Willis now, I have not been there in six months. In answer to you about John, W. Parker the Indian Claim is through his wife, She is the daughter of old Mr. & Mrs. Buck, old Mrs Buck is the Indian Claimer John W. Parker lives near Cliff Ind Ter that is his P. O. Address her brother, Frank Buck, his address is, Kingston Ind Ter. That is also the address of Pate Jacks, Parkers & Jacks wives are sisters both daughters of the Bucks. They all live near Kingston, and so far as I personally know, are all yet living. Parkers wife is not more than 35 years old, Pate Jacks wife is younger than John Parkers, both the Bucks are getting quite old, I do not know any thing of the old woman Bucks blood claim, what I have heard from Parker and Jacks is all the claims I have heard from them, I do not personally know anything of the Claims.

Yours & C

Jas O. Hunt, M. D.

9-997.

Muskogee, Indian Territory, January 27, 1903.

John Wesley Parker,

Sulphur, Indian Territory.

Dear Sir:

It appears from our records that a child by the name of Clarence Hubbard Parker is listed for enrollment as a citizen by blood of the Chickasaw Nation with the members of your family.

It further appears that on November 4, 1902, you and your wife, Alice I. Parker, appeared before the Commission at Tishomingo, Indian Territory, at which time you stated that you never had a child by the name of Clarence Hubbard Parker. You are advised that there is filed with our records in the matter of the application for enrollment of yourself and family an affidavit signed by James O. Hunt, M.D., in which it is stated that he is a practicing physician residing at Willis, Indian Territory; that he was present as the attending physician at the birth of a baby to Mr. and Mrs. John W. Parker on the 7th of October, 1898, that said child is a male child and has been named Clarence Hubbard Parker.

This affidavit was subscribed and sworn to on the 11th

J V H, S.

day of January, 1898, before L.H. Powell, Notary Public for the Southern District of Indian Territory.

You are requested to state whether you ever knew Mr. James G. Hunt, or L.H. Powell, the notary public before whom the affidavit was acknowledged; also whether you knew of any other citizen of the Choctaw or Chickasaw Nation by the name of John W. Parker.

Please give this matter prompt attention, returning your answer in the enclosed envelope.

Respectfully,

James Dixon.
Acting Chairman.

Enc.

9-987

Muskogee, Indian Territory, February 4, 1903.

James O. Hunt, M. D.,

Willis, Indian Territory.

Dear Sir:

On November 8, 1902, you were requested to furnish the Commission with certain information concerning a child named Clarence Hubbard Parker, but to this time you have not supplied this information.

On January 11, 1899, you made affidavit before D. E. Powell, Notary Public, that you were, on October 7, 1898, the attending physician at the birth of an infant son to Mr. and Mrs. John W. Parker, which son was said to have been named Clarence Hubbard Parker.

Will you kindly inform the Commission, if you can, the age and full name of the mother of this child; whether she was a citizen by blood or intermarriage of the Choctaw or Chickasaw Nation, and the present post office address of the parents of this child.

An envelope for your reply is enclosed herewith which requires no postage, and your prompt attention to this matter will be greatly appreciated, as until this information is received noth-

ing further can be done in the matter of the enrollment of this child, Clarence Hubbard Parker as a citizen of the Chickasaw Nation.

Respectfully,

James Bixby.
Acting Chairman.

D-237.

Muskogee, Indian Territory, February 16, 1903.

Postmaster,

Willis, Indian Territory.

Dear Sir:

It appears from our records that in October, 1898, Mrs. James O. Hunt, a practicing physician, executed a certain affidavit relative to the birth of an infant child before L.E. Powell, a notary public; in which it was stated that the post office address of James O. Hunt was Willis, Indian Territory.

If you can advise the Commission of the present address of either James O. Hunt or L.E. Powell, your action in the matter will be duly appreciated.

Enclosed you will find an envelope for your reply.

Respectfully,

Tams Bixby.
Acting Chairman.

Enc.

S-207.

Muskogee, Indian Territory, February 16, 1903.

John Wesley Parker,

Sulphur, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of January 31st, and also one of February 2, 1903, relative to Clarence Hubbard Parker, who, it appears, was erroneously listed for enrollment as a citizen by blood of the Chickasaw Nation with the members of your family.

The information contained in your letters has been duly noted, and the same filed with the records of the Commission.

Respectfully,

Tams Bixby.
Acting Chairman.

9-897
7-8884

Muskogee, Indian Territory, March 6, 1903.

James O. Hunt, M.D.,
Shay, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 20th ultimo, in reply to our communication of February 4, 1903, requesting information relative to the identity of Mr. and Mrs. John . Parker and their child, Clarence Hubbard Parker.

You are advised that the statements contained in your letter have enabled the Commission to identify the parties named.

Your kindness in the matter is duly appreciated.

Respectfully,

Tams Bixby.
Chairman.

9-397
7-8284

Muskogee, Indian Territory, March 6, 1903.

James O. Hunt, M.D.,

Shay, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 20th ultimo, in reply to our communication of February 4, 1903, requesting information relative to the identity of Mr. and Mrs. John F. Parker and their child, Clarence Hubbard Parker.

You are advised that the statements contained in your letter have enabled the Commission to identify the parties named.

Your kindness in the matter is duly appreciated.

Respectfully,

Tams Bixby

Chairman.

Muskogee, Indian Territory, December 31, 1903.

The Honorable,

The Secretary of the Interior.

Sir:

On October 6, 1902, the Commission to the Five Civilized Tribes had the honor to transmit for Departmental consideration a schedule constituting a part of the final roll of citizens by blood of the Chickasaw Nation, numbers 3020 to 3021 inclusive, copies of which have been heretofore returned approved by the Secretary of the Interior, December 12, 1902.

Referring to the name of Clarence Hubbard Parker, which appears thereon opposite number 3003, the Commission has now to advise that the identification of this child as the son of John Wesley Parker, whose name appears opposite number 3001 upon the roll of citizens by blood of the Chickasaw Nation, and Alice I. Parker, whose name appears opposite number 48 upon the roll of intermarried citizens of the Chickasaw Nation, approved by the Secretary of the Interior, May 28, 1903, is erroneous.

It appears from our records that on March 6, 1899, the affidavit of James O. Hunt, M. D., relative to the birth of Clarence Hubbard Parker, son of Mr. and Mrs. John W. Parker, was filed with the records of the Commission and the child was identified as the

son of John Wesley Parker and Alice I. Parker, and he was listed for enrollment on Chickasaw card, field number 997.

At Tishomingo, Indian Territory, November 4, 1902, Alice I. Parker appeared before the field party of the Commission for the purpose of testifying relative to her intermarried status on September 25, 1902, at which time it developed from her testimony that she never had a child named Clarence Hubbard Parker. For the information of the Department there is enclosed herewith copy of the affidavit of James O. Hunt, M. D., relative to the birth of Clarence Hubbard Parker, a copy of the testimony of Alice I. Parker of November 4, 1902. There is also enclosed copy of a letter received from James O. Hunt, M.D., under date of February 20, 1903, which enabled the Commission to identify Clarence Hubbard Parker as the son of Lela C. Parker, who was admitted to citizenship in the Choctaw Nation by a judgment of the United States Court, and her husband, J. W. Parker, a noncitizen.

The Commission has therefore respectfully to recommend the cancellation of the name of Clarence Hubbard Parker, opposite number 3003, upon the approved schedules of the citizens by blood of the Chickasaw Nation, in the office of the Secretary of the Interior

Secretary, --2

and the Commissioner of Indian Affairs, and upon the letters of the Commission transmitting said schedules and that the Commission be authorized to make corresponding changes upon the schedules of citizens by blood of the Chickasaw Nation and letters of transmittal in its possession.

Respectfully,

Tams Bixby.
Chairman.

T. B. Needles.
Commissioner.

C. R. Breckinridge.
Commissioner.

Commissioner.

Enc. 9-997

Muskogee, Indian Territory, December 31, 1903.

Commissioner in Charge,

Choctaw Land Office,

Atoka, Indian Territory.

Dear Sir:

There is enclosed you herewith copy of a letter this day addressed to the Secretary of the Interior, recommending the cancellation of the enrollment of Clarence Hubbard Parker, upon the approved roll of the citizens by blood of the Chickasaw Nation, opposite number 3003.

You are therefore requested to withhold the issuance of citizenship certificate or the making of any allotment to the said Clarence Hubbard Parker, opposite number 3003, upon the approved roll of citizens by blood of the Chickasaw Nation, until otherwise directed.

As soon as this recommendation is approved by the Department, you will be furnished copies of Departmental letters relative thereto.

Respectfully,

Enc. HG. 1-31

Chairman.

Muskogee, Indian Territory, December 31, 1903.

Commissioner in Charge,
Chickasaw Land Office,
Tishomingo, Indian Territory.

Dear Sir:

There is enclosed you herewith copy of letter this day addressed to the Secretary of the Interior, recommending the cancellation of the enrollment of Clarence Hubbard Parker, upon the approved roll of the citizens by blood of the Chickasaw Nation, opposite number 3003.

You are therefore requested to withhold the issuance of citizenship certificates or the making of any allotment to the said Clarence Hubbard Parker, opposite number 3003, upon the approved roll of citizens by blood of the Chickasaw Nation, until otherwise directed.

As soon as this recommendation is approved by the Department, you will be furnished copies of Departmental letters relative thereto.

Respectfully,

Enc. MB. 2-31

Chairman.

D.C.3804-1904. (COPY). Y.P. WHR.

ITD.7868-1903,
694-1904.
L.R.S.

DEPARTMENT OF THE INTERIOR,
WASHINGTON, January 29, 1904.

The Commission

to the Five Civilized Tribes,

Muskogee, Indian Territory.

Gentlemen:

It is shown by your report of December 31, 1903, and the papers accompanying it, that the enrollment of Clarence Hubbard Parker, appearing opposite number 3003 on partial roll of Chickasaw citizens by blood, was erroneous.

This child, four years of age at the time of enrollment by you, was identified by you upon an affidavit of March 8, 1899, of Dr. James O. Hunt relative to its birth, as the son of John Wesley Parker, whose name appears opposite number 3001 upon said partial roll, and Alice I Parker, whose name appears opposite number 48 on partial roll of citizens by intermarriage of the Chickasaw Nation.

It is shown that on November 4, 1902, Alice I. Parker appeared and testified relative to her intermarried status, at which time it developed that she never had a child named Clarence Hubbard Parker.

You submit a copy of the affidavit of Dr.James O.Hunt, relative to the birth of Clarence Hubbard Parker, a copy of the testimony of Alice I. Parker of November 4, 1902, and a copy of a letter received from Dr. Hunt dated February 20, 1903, which you state enables

your Commission to identify Clarence Hubbard Parker as the son of Lela G. Parker, who was admitted to citizenship in the Choctaw Nation by judgment of the United States Court, and her husband, J.W.Parker, a non-citizen.

You recommend the cancellation of the name of Clarence Hubbard Parker opposite number 3003 upon the approved schedule of citizens by blood of the Chickasaw Nation, "and upon the letters of the Commission transmitting said schedules," and that you be authorized to make corresponding changes upon the schedules of citizens by blood of the Chickasaw Nation, and letters of transmittal in your possession.

The Acting Commissioner of Indian Affairs reporting in the matter January 26, 1904, concurs in your recommendation.

The Department also concurring, the cancellation of the name of Clarence Hubbard Parker opposite number 3003 upon the approved schedule of citizens by blood of the Chickasaw Nation has been this day made, and upon your letter of October 6, 1902, and the Commissioner of Indian Affairs has been directed to make the proper cancellation on the records of his office.

You are authorized to make the changes recommended on the partial rolls and other records of your office.

A copy of the Acting Commissioner's report is inclosed.

Respectfully,

Thos. Ryan,

Acting Secretary.

Land.
2109-1904. (COPY).

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON, Jan. 26, 1904.

The Honorable,

The Secretary of the Interior,

Sir:

I have the honor to submit a letter of the Commission to the Five Civilized Tribes, of the 31st ultimo, saying that on October 6, 1902 the Commission transmitted for departmental consideration, a schedule constituting a part of the final roll of citizens by blood of the Chickasaw Nation, numbers 2020 to 3021, inclusive, copies of which have been heretofore returned approved by the Secretary of the Interior December 12, 1902.

Referring to the name of Clarence Hubbard Parker, which appears thereon opposite number 3003, the commission has now to report that the identification of this child as the son of John Wesley Parker, whose name appears opposite number 3001 upon the roll of citizens by blood of the Chickasaw Nation and Alice I. Parker, whose name appears opposite number 48 upon the roll of intermarried citizens of the Chickasaw Nation, approved by the Secretary of the Interior, May 20, 1903, is erroneous.

It appears from the records of the commission, says this report, that on March 3, 1899, the affidavit of James O. Hunt, M.D., relative to the birth of Clarence Hubbard Parker, son of Mr. and Mrs. John W. Parker, was filed with the records of the commission and the child was identified as the son of John Wesley and Alice I. Parker, and he was listed for enrollment on Chickasaw card, field number 997.

At Tishomingo, Indian Territory, November 4, 1902, Alice I. Parker appeared before the field party of the commission for the purpose of testifying relative to her intermarried status on September 25,1902, at which time it developed from her testimony that she never had a child named Clarence Hubbard Parker. For the information of the Department there is enclosed a copy of the affidavit of James O. Hunt, M.D., relative to the birth of Clarence Hubbard Parker and a copy of the testimony of Alice I. Parker of November 4, 1902. There is also enclosed a copy of a letter received from James O.Hunt, M.D., under date of February 20, 1903, which enabled the commission to identify Clarence Hubbard Parker as the son of Lela G.Parker, who was admitted to citizenship in the Choctaw Nation by a judgment of the United States Court, and her husband, J.W.Parker, a non-citizen.

The commission therefore recommends the cancellation of the name of Clarence Hubbard Parker, opposite number 3003, upon the approved schedules of the citizens by blood of the Chickasaw Nation in your office and in this office and upon the letters of the Commission transmitting said schedules and that the commission be authorized to make a corresponding change upon the schedules of citizens by blood of the Chockasaw Nation and letters of transmittal in its possession.

I concur in this recommendation.

Very respectfully,

A. C. Tonner,

Acting Commissioner.

(E.B.H.)

Choctaw 5254

Muskogee, Indian Territory, February 9, 1904.

Commissioner in Charge,

Choctaw Land Office,

Atoka, Indian Territory,

Dear Sir:

There is inclosed you herewith copy of Departmental letter of January 29, authorizing the cancellation of the enrollment of Clarence Hubbard Parker opposite Number 3003 on the approved partial roll of the citizens by blood of the Chickasaw Nation.

You are therefore requested to cancel the name of Clarence Hubbard Parker opposite Number 3003 upon the schedules of citizens by blood of the Chickasaw Nation and upon the letter of transmittal of October 6, 1902, in the possession of your office.

Respectfully,

Commissioner in charge.

AB 6-9

Choctaw 5254

Muskogee, Indian Territory, February 9, 1904.

Commissioner in Charge,
Chickasaw Land Office,
Tishomingo, Indian Territory,

Dear Sir:

There is inclosed you herewith copy of Departmental letter of January 29, authorizing the cancellation of the enrollment of Clarence Hubbard Parker opposite Number 3003 on the approved partial roll of the citizens by blood of the Chickasaw Nation.

You are therefore requested to cancel the name of Clarence Hubbard Parker opposite Number 3003 upon the schedules of citizens by blood of the Chickasaw nation and upon the letter of transmittal of October 6, 1902, in the possession of your office.

Respectfully,

Commissioner in Charge.

AB 7-9

Enrick 407

,ndian Territory,
Southern Distrbct.

Before me, the undersigned authority, on this day personally appeared James O. Hunt, who, after being by me first duly sworn, deposes and says: that I am a practicing physician, residing at Willis, Indian Territory; that I was present, as the attending physician at the birth of a baby, to Mr. and Mrs. John W. Parker, on the seventh of October, 1898; that said child is a male now living and has been named Clarence Hubbard Parker.

James O. Hunt M.D.

Subscribed and sworn to before me, this the 14th day of January 1899.

L E Powell

Notary Public, Southern District,
Indian Territory.

7-5254

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Clarence Hubbard Parker as a citizen by blood of the Choctaw Nation.

The applicant, Clarence Hubbard Parker, claims his right to enrollment as a citizen by blood of the Choctaw Nation through his mother, Lela G. Parker. The right of the applicant's mother, Lela G. Parker, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, June 29, 1904, case number 97 upon the Tishomingo docket of said court, it is hereby ordered that the application of Clarence Hubbard Parker for enrollment as a citizen by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Muskogee, Indian Territory,
OCT

7-5254

COPY.

Muskogee, Indian Territory, October 25, 1904.

J. W. Parker,

Cliff, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated October 25, 1904, dismissing the application for the enrollment of your minor son, Clarence Hubbard Parker as a citizen by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

Tams Bixby

Chairman.

Registered.

Incl. 7-5254.

COPY.

7-5284

Muskogee, Indian Territory, October 25, 1904.

Mansfield, McMurray and Cornish,
Attorneys for Choctaw and Chickasaw Freedmen,
South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission, dated October 25, 1904, dismissing the application for the enrollment of Clarence Hubbard Parker as a citizen by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

[illegible]

Chairman.

Incl. 7-5284.

Choctaw Court Card O. 299

...ion of Lela G. Parker and others.

...Needles,

J.W.Parker says:

My wife lives near Willis, Chickasaw Nation. She has lived there a bout 4 years. Her father is George and her mother is Martha Buck. She get her Indian blood through her mother. Her mother's father was Taylor. I do not know her mother's mother. She never applied to the Choctaw authorities. She has never been recognized by them.

Lebanon Oct. 4 1898.

Lela G. Buck
Linden Parker

enrolled.

Choc 5255 Thomas J. Buck

#5-6 Dismissed OCT 25, 1904

5255

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Record in the matter of the application for the enrollment as citizens by blood of the Choctaw Nation of-

RAY BUCK, ET AL. 7-5255

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE, APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation, of Ray Buck.born on the 28th, day of March, 1899. Name of ~~mother~~ father T. J. Buck, a citizen of the Choctaw Nation. Name of mother Becky Buck, a citizen of the United States. Post office, Willis, Indian Territory.

Affidavit of Mother.

United States of America,

Indian Territory,

Southern District.

I, Becky Buck, on oath state, that I am Thirty years of age, and a citizen of the United States; that I am the lawful wife of T. J. Buck, a citizen of the Choctaw Nation by blood; that a child was born to me on the 28th, day of March, 1899, and that said child has been named Ray Buck, and is now living.

Becca Buck

Subscribed and sworn to before me, this the 10th day of June, 1899

C. W. Powell

Notary Public.

Affidavit of Attending Physician, or Midwife.

United States of America,

Indian Territory,

Southern District.

I, Margaret Caroline Taylor, on oath state, that I attended on Mrs. Becky Buck, the legal wife of T. J. Buck, on the 28th, day of March, 1899; that there was born to her on said date a male child; that said child is now living and is said to have been named Ray Buck.

Margaret Caroline Taylor.

Subscribed and sworn to before me, this the 12th day of June, 1899.

C. W. Powell

Notary Public.

Enc Bd 62

CHOCTAW. 20 INDEXED

IN RE

Application for Enrollment of

INFANT CHILD

Stonewall Buck

as a citizen of

Choctaw Nation.

Approved SEP 4 1902 190..

Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
SEP 4 1902

ACTING CHAIRMAN

CHOCTAW.

5255

BIRTH AFFIDAVIT. 20

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Stonewall Buck (Here insert name of child.) born on the 19 day of June 1902
Name of Father: Thomas Jefferson Buck citizen of the Choctaw Nation.
Name of Mother: Becca Buck a citizen of the ..... Nation.
Post-office Kiowa Ind T

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY
Southern District.

I, Becca Buck, on oath state that I am 32 years of age ~~and a citizen, by~~ ....., of the ..... Nation;
that I am the lawful wife of Thomas Jefferson Buck, who is a citizen, by Blood, of the Choctaw Nation: that a ~~male~~ Female (male or female.) child was
born to me on 19th day of June 1902; that said child has been
named Stonewall Buck, and is now living.

WITNESSES TO MARK:
(Must be Two Witnesses.) Becca Buck

Subscribed and sworn to before me this 22 *day of* Aug 1902.
J M Jaye NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY,
..... District,

I, C B Martin, a Physician on oath state that I
attended on Mrs. Becca Buck, wife of Thomas Jefferson Buck
on the 19th day of June 1902; that there was born to her on
said date a ~~male~~ Female (male or female) child: that said child is now living and is said to have been
named Stonewall Buck.

C B Martin

WITNESSES TO MARK.
(Must be Two Witnesses)

Subscribed and sworn to before me this 22 *day of* Aug 1902.
J M Jaye

Noted

7-5255

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Ray Buck and Stonewall Buck as citizens by blood of the Choctaw Nation.

The applicants, Ray Buck and Stonewall Buck, claim their rights to enrollment as citizens by blood of the Choctaw Nation through their father Thomas J. Buck. The right of the applicants' father, Thomas J. Buck, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, June 29, 1904, in case number 97 upon the Tishomingo docket of said court, it is hereby ordered that the application of Ray Buck and Stonewall Buck for enrollment as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Muskogee, Indian Territory,
OCT [illegible] 1904

COPY. 7-5255

Muskogee, Indian Territory, October 25, 1904.

Thomas J. Buck,

Kingston, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated October 25, 1904, dismissing the application for the enrollment of your minor children, Ray Buck and Stonewall Buck as citizens by blood of the Choctaw Nation.

Respectfully,

SIGNED
Tams Bixby

Chairman.

Registered.

Incl. 7-5255.

7-5255.

COPY.

Muskogee, Indian Territory, October 28, 1904.

Mansfield, McMurray and Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission, dated October 28, 1904, dismissing the application for the enrollment of Ray Buck and Stonewall Buck as citizens by blood of the Choctaw Nation.

Respectfully,
(SIGNED)
Tams Bixby
Chairman.

Incl. 7-5255.

Y-2856.

Muskogee, Indian Territory, August 28, 1902.

Thomas J. Buck,

Kingston, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Stonewall Buck, infant daughter of Thomas Jefferson and Becca Buck, born in June 1902; and the same is returned to you herewith, for the reason that the affidavit of the attending physician does not state the date of birth of the child.

Upon return of the application properly corrected, the matter will receive further consideration.

Yours truly,

Enc. B.I. 28.

Acting Chairman.

[redacted]

Muskogee, Indian Territory, September 4, 1906.

Thomas J. Rusk,

Kingston, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Chootaw Nation of Stonewall Rusk, infant daughter of Thomas J. and Rhoda Rusk, born June 20, 1906; and the same being in proper form has been duly filed with the records of the Commission, and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Acting Chairman.

No. 360

of Thomas J. Buck and others.

xxxxxxxxx Needles,
x

Thomas J. Buck says:

I live near Willis, and have been living in the Chickasaw Nation about 6 years. I moved over to Texas and lived about 8 months, and moved back and have lived here ever since. My father and mother were George and Martha Buck. My mothermwas a Choctaw. Her father was Tom Taylor. I do not know his grandmother's name

I have been told all my life that I am Choctaw. I never applied to the Choctaw council. I let the older ones work that, and I had nothing to do with the lawyers in regard to it. My father got the lawyers to start it, of course. They could not well start it without something to start it with. The Indian authorities have never recognized me. I am now leasing land. My children have been living here all the while. I moved to Texas about 3 years a go and lived about 8 months, and moved back. I have lived here continuously for 3 years.

Lebanon, Oct. 4 1898.

Thomas J. Buck
Ora M. Buck
Clinton Buck
Alma Buck

enrolled.

Choc 5256 Sarah E. Kizer

#6-7-8 Dismissed 10-25-04

See C-97

5256

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment as citizens of the Choctaw Nation of

SARAH E. KIZER, et al . . . C-97
7-5256
7-5257

(COPY)

Choctaw Court Card C 301

In Re Application of Sarah E. Kizer and others.

Sworn by Commissioner McKennon.

Sarah E. Kizer says:

I have been living with this family in the Chickasaw Nation about 6 years. I came from Texas. I lived here when I was small and m father died here. My father was one half Choctaw and one half Chickasaw. I do not know whether or not he was recognized as a citizen. I went away when I was a child and remained until 1892, and I have been living here ever since. My mother was a white woman.

Colbert Oct. 11, 1898.

Sarah E. Kizer
Cordelia Kizer
Julia A. Kizer
Arthur A. Kizer
Hannah B. Kizer

enrolled.

BIRTH AFFIDAVIT. 20

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Chocktaw Nation,

of Joseph Wayne Roller (Here insert name of child.) , born on the 15th day of Aug , 1898

Name of Father: J. S. Roller a citizen of the Chocktaw Nation.

Name of Mother: Delia Roller a citizen of the Chocktaw Nation.

Postoffice Silo, I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Southern Jud. DISTRICT.

I, Delia Roller , on oath state that I am 21 years of age and a citizen by blood , of the Chocktaw Nation; that I am the lawful wife of J. S. Roller , who is a citizen, by marriage , of the Chocktaw Nation; that a male (Male or Female.) child was born to me on 15th day of Aug , 1899; that said child has been named Joseph Wayne Roller , and is now living.

Delia Roller.

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 28th day of August, 1899. , 190 .

M. M. Webster.
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MID-WIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Southern Jud. DISTRICT.

I, E. R. Welch , a Midwife , on oath state that I attended on Mrs. Delia Roller , wife of J. S. Roller on the 15th day of Aug , 1899 that there was born to her on said date a male (Male or Female.) child; that said child is now living and is said to have been named Joseph Wayne Roller.

E. R. Welch

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 25th day of August , 1899. , 190 .

Seal.

M. M. Webster.
Notary Public.

BIRTH AFFIDAVIT. 20

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation,

of Robert Loyce Roller (Here insert name of child.), born on the 24 day of Feb, 1902

Name of Father: J. S. Roller a citizen of the Choctaw Nation.

Name of Mother: Cordelia E. Roller a citizen of the Choctaw Nation.

Postoffice Folsom, I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, }
Central DISTRICT. }

I, Cordelia E. Roller, on oath state that I am 23 years of age and a citizen by Blood, of the Choctaw Nation; that I am the lawful wife of J. S. Roller, who is a citizen, by marida, of the Choctaw Nation; that a male (Male or Female.) child was born to me on 24 day of Feb, 1902 that said child has been named Robert Loyce Roller, and is now living.

Cordelia E. Roller

WITNESSES TO MARK:

(Must be Two Witnesses.) }

Subscribed and sworn to before me this 22 day of March, 1902.

Seal

Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN OR MID-WIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, }
Central DISTRICT. }

I, R. P. Dickey, a Physician, on oath state that I attended on Mrs. Cordelia E. Roller, wife of J. S. Roller on the 24 day of February, 1902; that there was born to her on said date a male (Male or Female.) child; that said child is now living and is said to have been named Robert Louise Roller

R. P. Dickey.

WITNESSES TO MARK:

(Must be Two Witnesses.) }

Subscribed and sworn to before me this 22 day of March, 1902.

Seal.

J. G. Reeder, Notary Public.

(COPY)

MARRIAGE LICENSE.

UNITED STATES OF AMERICA:
THE INDIAN TERRITORY : SS.
CENTRAL DISTRICT. :

TO ANY PERSON AUTHORIZED BY LAW TO SOLEMNIZE MARRIAGE - Greeting:

You are hereby commanded to solemnize the Rite and publish the Bans of Matrimony between Mr. J. S. Roller of Silo in the Indian Territory, aged 25 years, and Miss Delia Kiser of Silo in the Indian Territory, aged 20 years, according to law, and do you officially sign and return this License to the parties therein named.

Witness my hand and official seal, this 26th day of November, A.D. 1898

E. J. Fannin,
Clerk of the U.S.Court.

Seal.
D. N. Robb, Deputy.

CERTIFICATE OF MARRIAGE.

UNITED STATES OF AMERICA :
INDIAN TERRITORY : SS.
CENTRAL DISTRICT. :

I, L. M. Chisholm, a Minister of the Gospel do hereby certify that on the 30 day of November, A.D. 1898 I did duly and according to law, as commanded in the foregoing License, solemnize the Rite and publish the Bans of MATRIMONY between the parties therein named.

Witness my hand this 2 day of December, A.D. 1898.
My credentials are recorded in the office of the Clerk of the United States Court in the Indian Territory, Central District, Book A, Page 118.

L. M. Chisholm,
A Minister of the Gospel.

- - - - -

No. 344
CERTIFICATE OF RECORD OF MARRIAGES.

UNITED STATES OF AMERICA :
THE INDIAN TERRITORY : SCT.
CENTRAL DISTRICT. :

I, E. J. Fannin, Clerk of the United States Court in the Indian Territory and District aforesaid, Do hereby certify that the License for and Certificate of Marriage of Mr. J. S. Roller and Miss Delia Kiser were filed in my office in said Territory and District the 5 day of Dec. A.D. 1898 and duly recorded in Book I of Marriage Record, Page 172.

Witness my hand and seal of said Court, at Atoka this 13 day of Dec, A.D. 1898.

E. J. Fannin, Clerk

Seal. By D. N. Robb, Deputy

Endorsed on Back:
DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES
F I L E D
APR. 2, 1902,
Tams Bixby,
Acting Chairman.

BIRTH AFFIDAVIT. 20 1

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation,

of Nevaloy (Here insert name of child.), born on the 3 day of December, 1901

Name of Father: W. B. Mcfarland a citizen of the Choctaw Nation.

Name of Mother: Julia Alice Mcfarland a citizen of the Choctaw Nation.

Postoffice Folsom, I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Central DISTRICT.

I, Julia Alice Mcfarland, on oath state that I am 21 years of age and a citizen by Blood, of the Choctaw Nation; that I am the lawful wife of W. B. Mcfarland, who is a citizen, by Marr[illegible], of the Choctaw Nation; that a female (Male or Female) child was born to me on 3 day of December, 1901; that said child has been named Nevaloy Mcfarland, and is now living.

Julia Alice Mcfarland.

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 31 day of December, 1901.

Seal. J. G. Reeder Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN OR MID-WIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Central DISTRICT.

I, Dr. R. P Dickey, a Physician, on oath state that I attended on Mrs. Julia Alice cFarland, wife of W. B. Mcfarland on the 3 day of December, 1901; that there was born to her on said date a Female (Male or Female.) child; that said child is now living and is said to have been named Nevaloy Mcfarland.

Seal

R. P Dickey, M.D.

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 31 day of December, 1901.

J. G. Reeder. Notary Public.

(COPY)

No. 977.

MARRIAGE LICENSE.

UNITED STATES OF AMERICA :
THE INDIAN TERRITORY. : SS.
CENTRAL DISTRICT. :

TO ANY PERSON AUTHORIZED BY LAW TO SOLEMNIZE MARRIAGE - GREETING:

You are hereby commanded to solemnize the Rite and publish the Banns of Matrimony between Mr. W. B. McFarland of Silo, in the Indian Territory, aged 21 years, and Miss Alice J. Kiser, of Folsom, in the Indian Territory, aged 20 years, according to law, and do you officially sign and return this License to the parties therein named.

Witness my hand and official seal this 4 day of February, A.D. 1901.

E.J. Fannin,
Clerk of the United States Court

- - - -

CERTIFICATE OF MARRIAGE.

UNITED STATES OF AMERICA :
THE INDIAN TERRITORY : SS

I, the undersigned a Gospel Minister do hereby CERTIFY, that on the 10 day of February A.D. 1901, I did duly and according to law, as commanded in the foregoing License, solemnize the Rite and publish the Banns of Matrimony between the parties therein named.

Witness my hand this 10 day of February, A. D. 1901.

My credentials are recorded in the office of the Clerk of the United States Court in the Indian Territory, Central District, Book 9, Page 285.

R. C. Dixon.

- - - -

No. 977

CERTIFICATE OF RECORD OF MARRIAGES.

UNITED STATES OF AMERICA :
THE INDIAN TERRITORY : SS.
CENT DISTRICT. :

I, E. J. Fannin, Clerk of the United states Court in the Indian Territory and District aforesaid, do hereby CERTIFY that the License for and certificate of the marriage of Mr. W. B. McFarland and Miss Alice J. Kiser was filed in my office in said Territory and District the 27 day of Feby A.D. 1901 and duly recorded in Book 1 of Marriage record, Page 489.

Witness my hand and seal of said Court at Atoka this 27 day of Feby, A.D. 1901.

E.J. Fannin, Clerk

By Don J. Folsom, Deputy.

Endorsed on back:
DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
F I L E D
JAN 3, 1902.
Tams Bixby,
Acting Chairman.

(COPY)

Choctaw Court Card C 302

In Re Application of Lucinda F.Trimmer and others.

Sworn by Commissioner McKennon.

Lucinda F. Trimmer says:
Luther W. was admitted as "Luther"
Carlos P. was admitted as "Carlos"
James V. was born Feb. 8th 1897.
I have been living in the Chickasaw nation 5 years except one year I came here from Texas in the fall of 1892. I lived here two years and went back to Texas, and have been living here 3 years continuously. I had lived all my life in Texas. I a daughter of Mrs. Kizer. My father was a white man.

Tolbert, Oct. 12, 1898.

Lucinda F. Trimmer
David B. Trimmer
Luther W. Trimmer
Marvin A. Trimmer
Carlos P. Trimmer
Browdie E. F. Trimmer
Zellie Trimmer
James V. Trimmer.

enrolled.

[redacted]

[redacted] Choctaw [redacted]

[redacted] Ethel Ardith Trimmer [redacted] 10th [redacted] Dec [redacted]

[redacted] Joshua S. Trimmer [redacted] Choctaw [redacted]

[redacted] Lucinda F. Trimmer [redacted] Choctaw [redacted]

[redacted] Hobbs street, I.T.

[redacted]

[redacted]

Southern Jud[redacted]

I Lucinda F. Trimmer [redacted] three

[redacted] Clerk [redacted] Choctaw [redacted]

[redacted] Joshua S. Trimmer [redacted]

marriage [redacted] Choctaw [redacted] female [redacted]

[redacted] the 10th [redacted] [redacted]

Ethel Ardith Trimmer [redacted]

[redacted] Lucinda F. Trimmer

[redacted]

[redacted] 26th [redacted] February [redacted] 0

Seal. W. F. Webster. [redacted]

[redacted]

[redacted]

Southern Jud[redacted]

I [redacted] Roxie Ann Andrews [redacted] Korse [redacted]

[redacted] Lucinda F. Trimmer [redacted] Joshua S. Trimmer [redacted]

[redacted] 10th [redacted] Dec [redacted] female [redacted]

[redacted] Ethel Ardith Trimmer,

Roxie Ann Andrews

[redacted]

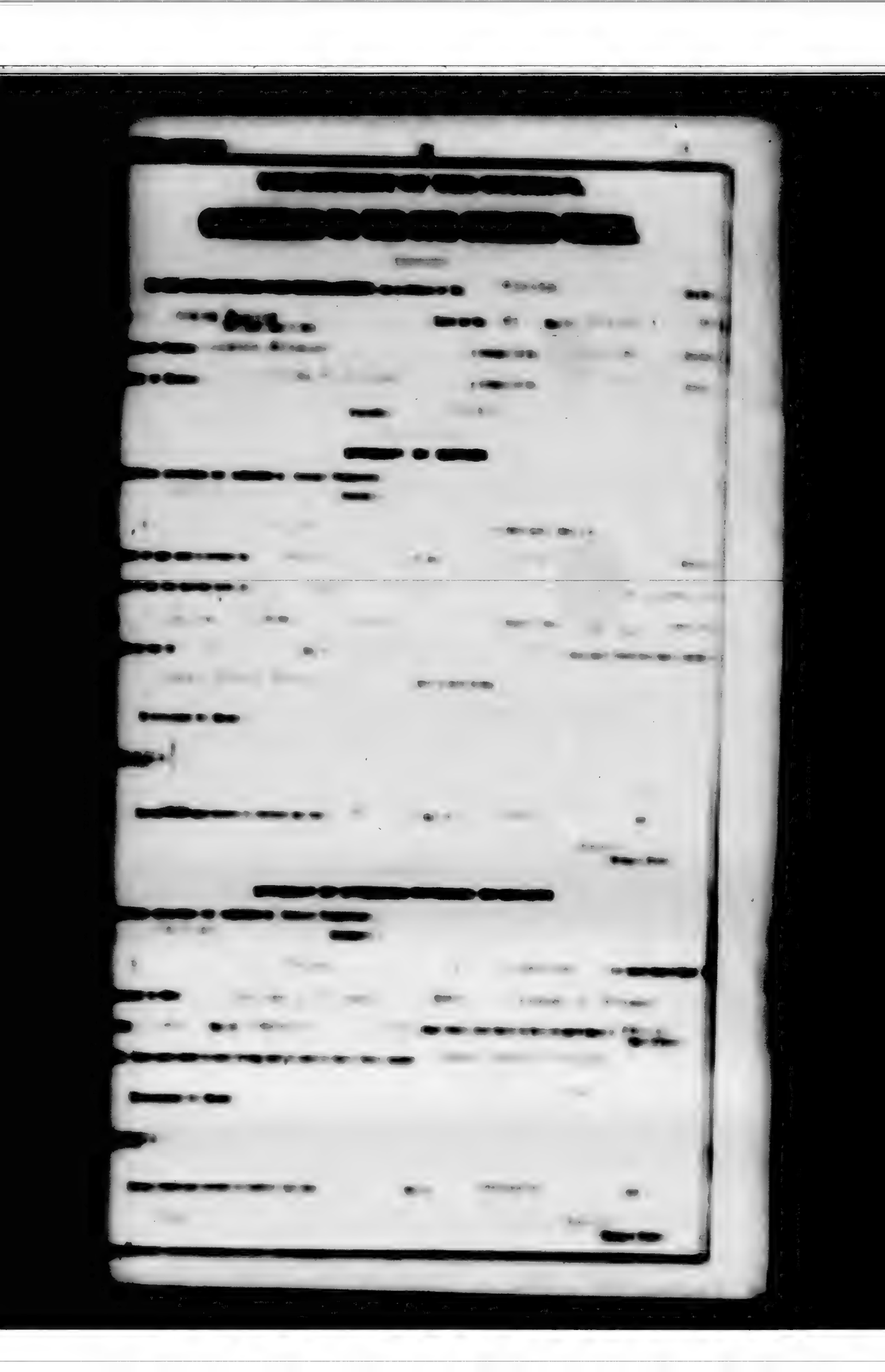
A. F. Wheeler

[redacted] M. A. Bellamy

[redacted] 26th [redacted] February [redacted] 0.

Seal. W. F. Webster [redacted]

[redacted]



[redacted]

Dec

T-6884.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

---o---

In the matter of the application for the enrollment of Novaley McFarland as a citizen by blood of the Choctaw Nation.

---o---

The applicant, Novaley McFarland, claims her right to enrollment as a citizen by blood of the Choctaw Nation through her mother Julia A. Kiser (now McFarland). The right of the applicant's mother Julia A. Kiser (now McFarland), to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, June 28, 1904, in cause No. 138 upon the findings contained of said court, it is hereby ordered that the application of Novaley McFarland for enrollment as a citizen by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

[signature]
Commissioner.

Muskogee, Indian Territory,

Fed

T-0007.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Ethel Ardith Trimmer and Argie Eunice Trimmer as citizens by blood of the Choctaw Nation.

The applicants, Ethel Ardith Trimmer and Argie Eunice Trimmer, claim their rights to enrollment as citizens by blood of the Choctaw Nation through their mother Lucinda F. Trimmer. The right of the applicants' mother, Lucinda F. Trimmer, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, June 29, 1904, in case No. 125 upon the Tishomingo docket of said court, it is hereby ordered that the application of Ethel Ardith Trimmer and Argie Eunice Trimmer for enrollment as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Chairman.

Muskogee Indian Territory,

OCT 25 1904

7-5257

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of James V. Trimmer as a citizen by blood of the Choctaw Nation.

-----o-----

The applicant, James V. Trimmer, claims the right to enrollment as a citizen by blood of the Choctaw Nation through his mother Lucinda F. Trimmer.

The right of the applicant's mother, Lucinda F. Trimmer to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court of June 29, 1904, in case No. 135 upon the Tishominge docket of said court, it is hereby ordered that the application of James V. Trimmer for enrollment as a citizen by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Muskogee, Indian Territory,

FEB 1 1905

DEPARTMENT OF THE INTERIOR.

To the Commissioners of
the five civilized Tribes. In re application for Enrollment.

Sarah Elizabeth Kizer(nee Harrison) by blood one quarter, age 60 years. Arthur Adams Kizer, deceased, by blood one eighth part, age 21, died 1904. Valingtine Kizer, by intermarriage, age 75, the husband of Sarah E. Kizer and Lusindy F. Trimmer (nee Kizer) by blood one eighth part, age 36. David B. Trimmer, by blood, one sixteenth part, age 21, son of Mrs. L. F. Trimmer, Louther Trimmer, by blood, one sixteenth part, age 17, son of Mrs. L. F. Trimmer. Marvin Trimmer, by blood, one sixteenth part, age 16, son of Mrs. L. F. Trimmer. Carlis Trimmer, by blood, one sixteenth part, age 14, son of Mrs. L. F. Trimmer. Frank Trimmer, by blood, one sixteenth part, age 12, son of Mrs. L. F. Trimmer. Zillie Omama Trimmer, by blood, one sixteenth part, age ten, daughter of Mrs. L. F. Trimmer. James V. Trimmer, by blood, one sixteenth part, age 8, son of Mrs. L. F. Trimmer. Ethel Trimmer, by blood, one sixteenth part, age 6, daughter of Mrs. L. F. Trimmer. Argie Unice Trimmer, by blood, one sixteenth part, age 4, daughter of Mrs. L. F. Trimmer. Joe Trimmer, by blood, one sixteenth part, age 2, daughter of Mrs. L. F. Trimmer. Joshay S. Trimmer, intermarriage, age 47, the husband of Mrs. Lusinda F. Trimmer.

Comes now your petitioner Sarah Elizabeth Kizer and states that she is a member and a citizen of the Choctaw Tribe of Indians by blood; that she is a daughter of Mr. William H. Harrison; that in the year of 1850 and at divers times prior to 1850 the said William H. Harrison and Mahuldie Harrison, and their said children were all admitted citizens of the Choctaw Tribe of Indians in the year of 1850.

Which the said William H. Harrison moved from the state of Mississippi in the year, or about the year of 1836 the father of Mrs. Sarah J. Kizer (nee Harrison) and the said Mrs. Sarah E. Kizer

(nee Harrison) applied for enrollment to the Choctaw council in the year of 1893 for herself and her children and her said grand children. And in the year of 1896 or 1897 the said Mrs. Sarah Elizabeth Kizer (nee Harrison) appealed her case from the Dawes Commission to the United States Court, sitting at South McAlester in the year of 1897 and gained a judgment under the said Court in 1898 for herself and her children and others. The said judgment was then appealed to the Supreme Court of the United States, and which was affirmed under the said Court of the United States. That within the time prescribed by law this petitioner made due application to the Commissioners of the five civilized tribes for enrollment as members of said Choctaw Tribe of Indians; but said Commissioner without authority of law, rejected her said application and refused to enroll her as such, her children and others. In the year of 1896 or 1897 and in the year of 1902 the Choctaw and Chickasaw Citizenship Court which was created to try and determine all cases claiming rights of citizenship. And the said Sarah Elizabeth Kizer (nee Harrison) through her attorneys who was at that time Hardy & Franklin of Madill I.T. filed a complaint against the said Choctaw and Chickasaw Citizenship Court; that they had no right or jurisdiction to try said case, and under the rules of Choctaw Enrollment case of Lula West.

Whereof your petitioner prays that they be enrolled upon the trible roll of the Chocksaw Nation as Members of the Choctaw tribe of indians.

C. C. McCarty,
Acting for petitioner.

Indian territory,
Central District.

Sarah Elizabeth Kizer being duly sworn upon his oath deposes and says that he is the petitioner above named; that she knows the contents of the foregoing petition and that the matters and things therein set forth are true and correct as she verily believes.

Her
Sarah Elizabeth X Kizer
Mark

Witnesses:
V. M. Johnson,
J. S. Trimmer.

Subscribed and sworn to before me this 8th day of March, 1906.

R. Hiner Glenn,
Seal. Notary Public Central District I.T.

BIRTH AFFIDAVIT. 199

DEPARTMENT OF THE INTERIOR,

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

ENROLLMENT OF MINORS. ACT OF CONGRESS, APPROVED APRIL 26, 1906.

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation,

of Marshel Joshua Trimmer, born on the 7th day of Sept 902
[Here insert name of child]

Name of Father: David B. Trimmer a citizen of the Choctaw Nation.

Name of Mother: Mattie E. Trimmer a citizen of the U. S. Nation.

Tribal enrollment of father Choctaw Tribal enrollment of mother not enrolled

Postoffice Folsom, Indian territory.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, Indian Territory,
Central District. } District.

I, Mattie E. Trimmer, on oath state that I am 20 years of age and a citizen by of the U.S. not enrolled as a choctaw Indian Nation; that I am the lawful wife of David B. Trimmer, who is a citizen, by blood, of the Choctaw Nation; that a male [Male or Female] child was born to me on 7th day of September 1902; that said child has been named Marshel Joshua Trimmer and was living March 4, 1906.

Mattie E. Trimmer.

WITNESSES TO MARK:

[Must be Two Witnesses] { .....
.....

Subscribed and sworn to before me this 24th day of July 1906.

Seal. T. M. Hinsley,
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN OR MID-WIFE.

UNITED STATES OF AMERICA, Indian Territory,
Central District. }

I, Lucindia F. Trimmer a female midwife, on oath state that I attended on Mattie E. Trimmer, wife of David B. Trimmer on the 7th day of Sept 1902; that there was born to her on said date a Male [Male or Female] child; that said child was living March 4, 1906, and is said to have been named Marshel Joshua Trimmer

Lucindia F. Trimmer.

WITNESSES TO MARK:

[Must be Two Witnesses] { .....
.....

Subscribed and sworn to before me this 24th day of July A.D. 1906.

Seal. T. M. Hinsley,
Notary Public.

BIRTH AFFIDAVIT. 199

DEPARTMENT OF THE INTERIOR.

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

ENROLLMENT OF MINORS. ACT OF CONGRESS, APPROVED APRIL 26, 1906.

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation,

of Melvin Teddy Trimmer [Here insert name of child], born on the 27th day of June, 1905

Name of Father: David B. Trimmer a citizen of the Choctaw Nation.

Name of Mother: Mattie E. Trimmer a citizen of the United States Nation.

Tribal enrollment of father Choctaw Tribal enrollment of mother not enrolled

Postoffice Folsom, Indian Territory.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, Indian Territory,
Central District.

I, Mattie E. Trimmer on oath state that I am 20 years of age and a citizen by of the U.S. of the Nation; that I am the lawful wife of David B. Trimmer who is a citizen, by Blood, of the Choctaw Nation; that a Male [Male or Female] child was born to me on 27th day of June A.D. 1905; that said child has been named Melvin Teddy Trimmer and was living March 4, 1906.

Mattie E. Trimmer.

WITNESSES TO MARK:

[Must be Two Witnesses] .....

.....

Subscribed and sworn to before me this 24th day of July, A. D. 1905.

Seal. T. M. Hinsley
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN OR MID-WIFE.

UNITED STATES OF AMERICA, Indian Territory,
Central District.

I, Lucinda F. Trimmer, a Female Midwife, on oath state that I attended on Mattie E. Trimmer, wife of David B. Trimmer on the 27th day of June, 1905; that there was born to her on said date a Male [Male or Female] child; that said child was living March 4, 1906, and is said to have been named Melvin Teddy Trimmer.

Lucindia F. Trimmer

WITNESSES TO MARK:

[Must be Two Witnesses] .....

.....

Subscribed and sworn to before me this 24th day of July, A.D. 1906.

Seal T. M. Hinsley
Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
Muskogee, Indian Territory, September 24, 1906.

In the matter of the application for the enrollment of Sarah Elizabeth Kizer (nee Harrison) et al. as citizens of the Choctaw Nation.

Under the regulations adopted by the Commissioner to the Five Civilized Tribes January 2, 1906, there was filed on March 9, 1906, a petition praying for the enrollment of Sarah Elizabeth Kizer (nee Harrison), Authur Kizer, deceased, Lucinda F. Trimmer (nee Kizer), David H. Trimmer, Luther Trimmer, Marvin Trimmer, Carlos Trimmer, Frank Trimmer, Zillie Omama Trimmer, James V. Trimmer, Ethel Trimmer, Argie Unice Trimmer and Joe Trimmer as citizens of the Choctaw Nation.

It is alleged in the petition that the petitioner, Sarah Elizabeth Kizer (nee Harrison) is a daughter of William H. Harrison; that in the year of 1850, and at divers times prior to 1850 the said William H. Harrison and Mahuldie Harrison, and their said children were all admitted as citizens of the Choctaw tribe of Indians. The other petitioners herein are descendants of the petitioner, Sarah E. Kizer.

On September 1, 1906, Sarah Elizabeth Kizer, Durant, Indian Territory, and Mansfield, McMurray & Cornish, attorneys for the Choctaw and Chickasaw Nations, South McAlester, Indian Territory, were notified that the Commissioner to the Five Civilized Tribes would at his office at Muskogee, Indian Territory, on Monday, September 24, 1906, at ten o'clock A. M. hear such testimony and receive such other evidence as might be submitted in support of said petition.

Now on this 24th day of September, 1906, at three o'clock P. M. the case being called for hearing the following appearances were entered and proceedings had:

APPEARANCES:

MRS. SARAH ELIZABETH KIZER, petitioner,

CHARLES A. COOK, appears as attorney for the petitioners.

No appearance entered by or on behalf of the Choctaw and Chickasaw Nations.

Sarah Elizabeth Kizer et al.------2

MOTION

BY MR. COOK:

I make a motion herewith submitted to amend the petition in this case as follows:

This is the amendment now offered, and the parties herein named were embraced in the original action which was pending in 1896 and thereafter denied by the Citizenship Court, namely:

"Comes now the applicants in the case of Sarah Elizabeth Kizer et al and ask to amend their petition by inserting the following names, the children and grand-children of the said Sarah E. Kizer, to wit:
Joseph V. Kizer, Francis Marion Kizer, James Shelton Kizer, Mary Louise Jennings (nee Kizer), Lizzie Cordelia Roller (nee Kizer) Julia Alice Kizer (now McFarland, wife of Wesley McFarland), Arthur A. Kizer (died November 15 1904), Hannah Bessie Kizer (now wife of Albert Darbison), children of Sarah Elizabeth Kizer. Also the following named grand-children, to wit: Jesse Ernest Kizer, Lonnie Kizer (died in 1903 or 04), Henry Kizer, Lena B. Kizer, Edgar Orama Kizer, Foy E. Kizer, Nellie E. Kizer, Elizabeth F. Jennings (died October 1905), Effie K. Jennings, James Francis Jennings, John Valentine Jennings, Neva Lois McFarland, Clinton McFarland, Bessie W. Darvison, Eva May Darvison, Joseph W. Roller, Robert L. Roller, Arthur Allen Roller.

BY THE COMMISSIONER:

The Act of Congress approved April 26, 1906 (34 Stats., 137) provides in part as follows:

"No motion to reopen or reconsider any citizenship case in any of said tribes shall be entertained unless filed with the Commissioner to the Five Civilized Tribes within sixty days after the date of the order or decision sought to be reconsidered, except as to decisions made prior to the passage of this act, in which cases such motion shall be made within sixty days after the passage of this act."

Inasmuch as no motion to reopen the enrollment case of the persons named in the amendment submitted by the attorney for the petitioners, except the name of Arthur A. Kizer,(which was mentioned in the petition submitted May 9, 1906 as Authur Kizer) within the time prescribed by law, the Commissioner has no authority at this time to permit the filing of said amendment, and the same is disallowed.

Sarah Elizabeth Kizer et al.------3

BY MR. COOK:

To which we except.

BY MR. COOK:

I beg leave to offer in evidence the affidavits, ex-parte affidavits, that were used in the original case, for the reason that these were old people and all dead, these affiants are all dead, as I am informed, and we can't get new affidavits, and ask that these affidavits be used in this case.

BY THE COMMISSIONER:

The Commissioner has uniformly declined in this class of cases to make any part of the Citizenship Court records a part of the records in these cases.

SARAH ELIZABETH KIZER, being first duly sworn, testifies as follows:

BY THE COMMISSIONER:

Q What is your name? A Sarah E. Kizer is my name now.
Q What is your postoffice address? A Why it is Durant.
Q How old are you? A I am about 42 or 3, somewheres along there.
Q In the petition filed with this office on March 9, 1906, praying for the enrollment of yourself and others as citizens of the Choctaw Nation, it is alleged that you are a daughter of William H. Harrison; that in the year 1860 and at divers times prior to 1860 the said William Harrison and Mahaldie Harrison, and their said children were all admitted as citizens of the Choctaw tribe of Indians. Have you any evidence to submit in support of the allegation that you were admitted as a citizen of the Choctaw Nation in 1860? A I cant recollect, I dont know.
Q Have you the Act of admission by the Choctaw Council, admitting your father and his family as citizens of the Choctaw Nation, any papers showing that you were admitted? A No sir, I have not.
Q Upon what was this allegation in the petition based? A Well my father was a Indian and he lived here and I had been taught that he was a Indian; he died when I was young; I was carried off when I was young.
Q Do you know that your father and his family were ever admitted as citizens of the Choctaw Nation by the Council or any other authority. A No answer.
Q Do you know whether he ever went before a Council of the Choctaw Nation? A No sir, I dont know it, I was too young when he died.
Q Do you know whether you were ever admitted as a citizen of the Choctaw Nation? A Well I was; I got papers to show that

I was admitted, put on the rolls.
Q Have you those papers? A Dont know whether I have got them with me or not.
Q When did you get these papers that you speak of? A What papers?
Q You said that you had papers showing you were admitted? A We got papers that we were admitted on the roll.
Q Who did you get these papers from? A From the Supreme Court-- from the District Court.
Q When did you get these papers? A I dont know anything about Courts, dont know one from another.
Q How long ago has it been since you received these papers? A Well I couldnt tell you.
Q Within the last two or three years? A Never did receive any that we was admitted by the Indian Court that I know of.

BY MR. COOK:

Q Your father, William H. Harrison, was he a Choctaw Indian by blood? A Yes sir, I have always been taught that.

MOTION

BY MR. COOK:

I move on behalf of the applicants that the further hearing of this case be continued until opportunity can be had to obtain the record if necessary to establish the allegation of the petition, for fifteen days.

BY THE COMMISSIONER:

The motion of the attorney will be granted and the case will be continued until October 8, 1906, at ten o'clock A. M.

WITNESS EXCUSED.

Cora Moore, being duly sworn, states that as stenographer to the Commissioner to the Five Civilized Tribes she reported the proceedings had in the above entitled cause on September 24, 1906, and that the above and foregoing is a true and correct transcript of her stenographic notes taken in said cause on said date.

Subscribed and sworn to before me on this 26th day of September, 1906.

Edward Merrick
Notary Public.

C-97
7-5856
7-5257
23-1030

W.C.P.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of SARAH E. KIZER, et al., as citizens of the Choctaw Nation.

D E C I S I O N.

It appears from the record herein and from the records in the possession of the Commissioner to the Five Civilized Tribes that application was made to the Commission to the Five Civilized Tribes at Colbert, Indian Territory, October 11, 1898, by Sarah E. Kizer for the enrollment of herself and her children, Cordelia Kizer, Julia A. Kizer, Arthur A. Kizer and Hannah B. Kizer as citizens by blood of the Choctaw Nation; that on October 30, 1899, and March 25, 1902, respectively, written applications were filed for the enrollment of Joseph Wayne Roller and Robert Loyce Roller, minor children of J. S. Roller and Cordelia E. Roller; that on January 3, 1902, written application was made for the enrollment of Nevaloy McFarland, minor son of W. B. McFarland and Julia Alice McFarland; that application was made to the Commission to the Five Civilized Tribes at Colbert, Indian Territory, October 12, 1898, by Lucinda F. Trimmer for the enrollment of herself and her minor children, David B. Trimmer, Luther W. Trimmer, Marvin A. Trimmer, Carlos P. Trimmer, Browdie E. F. Trimmer, Zellia Trimmer and James V. Trimmer, as citizens by blood of the Choctaw Nation; that on May 24, 1900, written application was filed for the enrollment of Ethel Ardith Trimmer and on November 30, 1901, written application was filed for the enrollment of Argie Eunice Trimmer, minor children of Lucinda F. Trimmer and Joshua S. Trimmer, as citizens by blood of the Choctaw Nation.

It further appears from the records in the possession of the Commissioner to the Five Civilized Tribes that application was made to the Commission to the Five Civilized Tribes on September 3, 1896, for admission to citizenship in the Choctaw Nation of the following applicants: Sarah E. Kizer, Lucinda F. Trimmer (as Lucenda F. Trimmer) nee Kizer, Cordelia Kizer (as Cordelia E. Kizer), Julia A. Kizer, Arthur A. Kizer (as Aurther A. Kizer), Hannah B. Kizer (as Hanna B. Kizer), David B. Trimmer, Luther W. Trimmer, Marvin A. Trimmer, Carles P. Trimmer (as Carles Trimmer), Browdie E. F. Trimmer (as Brodie E. F. Trimmer), and Zellia Trimmer; and that on December 2, 1896, said application was denied by the Commission.

From this decision appeal was taken to the United States Court for the Central District of Indian Territory, which court, on January 18, 1898, reversed the decision of the Commission and admitted said applicants to citizenship.

Said judgment was subsequently vacated, set aside and held for naught by a decree of the Choctaw-Chickasaw Citizenship

Court of December 17,1902, in the test case of "Choctaw and Chickasaw Nations or Tribes vs. J. T. Riddle, et al".

Said cause was subsequently certified to the Choctaw-Chickasaw Citizenship Court created under the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641) for a trial de novo and on June 29, 1904 in the case of Sarah E. Kizer, et al, vs Choctaw and Chickasaw Nations (Choctaw-Chickasaw Citizenship Court case No. 125, Tishomingo Docket) said Citizenship Court rendered a judgment therein wherein it was "ordered, adjudged and decreed that the petition of the plaintiffs, Arthur A. Kizer, Sarah E. Kizer, Lucinda F. Trimmer . . . Cordelia E. Kizer, Julia A. Kizer, Arthur A. Kizer, Hannah B. Kizer, David B. Trimmer, Luther W. Trimmer, Marvin A. Trimmer, Carlos Trimmer, Browdie E. F. Trimmer or Bowdie E. F. Trimmer and Zellia Trimmer be denied and that they be declared not citizens of the Choctaw Nation and not entitled to enrollment as such citizens and not entitled to any rights whatever flowing therefrom".

On October 25, 1904, the Commission to the Five Civilized Tribes issued orders dismissing applications for the enrollment of Joseph Wayne Roller, Nevaloy McFarland, Robert Loyce Roller, Ethel Ardith Trimmer and Eunice Argie Trimmer as citizens of the Choctaw Nation for the reason that the persons through whom said applicants claimed the right to enrollment had been denied citizenship by the Choctaw-Chickasaw Citizenship Court.

On February 1, 1905, the Commission issued an order dismissing the application for the enrollment of James V. Trimmer as a citizen of the Choctaw Nation for the reason that the Choctaw-Chickasaw Citizenship Court had adversely determined the right of his mother, Lucinda F. Trimmer, as a citizen of the Choctaw Nation.

Under the regulations adopted by the Commissioner to the Five Civilized Tribes January 2, 1906, there was filed on March 9, 1906, a petition verified by Sarah Elizabeth Kizer praying for the enrollment of Sarah Elizabeth Kizer, nee Harrison, Auther Adams Kizer, deceased, Lusindy F. Trimmer, nee Kizer, David B. Trimmer, Louther Trimmer, Marvin Trimmer, Carlis Trimmer, Frank Trimmer, Zillie Omama Trimmer, James V. Trimmer, Ethel Trimmer, Argie Eunice Trimmer and Joe Trimmer as citizens by blood of the Choctaw Nation and for the enrollment of Valingtine Kizer, husband of Sarah Elizabeth Kizer, and Joshay S. Trimmer, husband of Lusinda F. Trimmer, as citizens by intermarriage of the Choctaw Nation.

Said petitioners, with the exception of Valingtine Kizer, Joshay S. Trimmer and Joe Trimmer are identical with the persons for whose enrollment as citizens by blood of the Choctaw Nation application was made to the Commission to the Five Civilized Tribes under the provisions of the Act of Congress approved June 28,1898.

On July 25, 1906, application was filed for the enrollment of Marshel Joshua Trimmer, born September 7,1902, and Melvin Teddy Trimmer, born June 27,1905, minor children of David B. Trimmer and Mattie E. Trimmer as citizens by blood of the Choctaw Nation under the provisions of the Act of Congress approved April 26,1906.

This office has no record of any application ever having

been made for the enrollment of Valingtine Kizer and Joshay S. Trimmer as citizens by intermarriage of the Choctaw Nation prior to the filing of the petition herein, nor does it appear that any application was ever made for the enrollment of the petitioner, Joe Trimmer, as a citizen by blood of the Choctaw Nation prior to the filing of the petition.

It is alleged in the petition that the petitioner, Sarah Elizabeth Kizer "is a member and a citizen of the Choctaw tribe of Indians by blood; that she is the daughter of Mr. William H. Harrison; that in the year 1850, and at divers times prior to 1850, the said William H. Harrison and Mahuldie Harrison and their said children were all admitted citizens of the Choctaw tribe of Indians in the year 1850".

It does not appear from the record herein or from the records in the possession of the Commissioner to the Five Civilized Tribes that any of the applicants herein were ever recognized or enrolled as citizens of the Choctaw Nation by any duly constituted authority. Their names do not appear on any of the tribal rolls of the Choctaw Nation in the possession of this office.

The record herein further shows that a hearing in said cause was had at the office of the Commissioner to the Five Civilized Tribes on September 24, 1906, after due notice was given to Sarah Elizabeth Kizer and to the attorneys for the Choctaw and Chickasaw Nations. That on the date set for hearing said petitioner appeared before the Commissioner with her attorney; that upon a motion of the attorney for the petitioner a further hearing in said cause was granted on October 8, 1906, in order that the applicants might obtain the necessary evidence to establish the allegations in the petition.

On the date set for further hearing in the matter, no appearance was entered by or on behalf of the petitioners.

I am of the opinion that inasmuch as it does not appear from the record herein and from the records in the possession of the Commissioner to the Five Civilized Tribes that the applicants have ever occupied such a status as would entitle them to enrollment as citizens of the Choctaw Nation, the action of the Choctaw-Chickasaw Citizenship Court of June 29, 1904, is final, and that I am without authority to take any further action looking toward the enrollment of the applicants included in the decision of said citizenship court.

I am, therefore, of the opinion that the applications for the enrollment of Sarah E. Kizer, Cordelia Kizer, Julia A. Kizer, Arthur A. Kizer, Hannah B. Kizer, Lucinda F. Trimmer, David B. Trimmer, Luther W. Trimmer, Carlos S. Trimmer, Browdie E. F. Trimmer (mentioned in the petition as Frank Trimmer), Zillia Trimmer and Marvin A. Trimmer, and the petition herein in so far as same applies to said applicants should be denied, under the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641), and it is so ordered.

I am further of the opinion that the petition herein in so far as same applies to the petitioners, James V. Trimmer, Ethel Ardith Trimmer and Argie Eunice Trimmer, whose applications for enrollment have heretofore been dismissed by the Commission to the Five Civilized Tribes, should be dismissed, and it is so ordered.

I am further of the opinion that the petition herein in so far as same applies to the petitioners, Valingtine Kizer and Joshay S. Trimmer, for whose enrollment as citizens by intermarriage of the

Choctaw Nation be application was made prior to December 1, 1906, should be dismissed, and it is so ordered.

I am further of the opinion that the petition herein in so far as same applies to the petitioner, Joe Trimmer, should be considered as an application for the enrollment of said petitioner as a citizen by blood of the Choctaw Nation under the provisions of the Act of Congress approved April 26, 1906 (34 Stats., 137) and that said application and the applications filed July 16,1906, for the enrollment of Marshel Joshua Trimmer and Melvin Teddy Trimmer should be denied under the provisions of the Act of Congress approved April 26, 1906 (34 Stats., 137) and it is so ordered.

Commissioner.

Muskogee, Indian Territory,

FEB 5 1907

C-97

COPY

Muskogee, Indian Territory, February 5, 1907.

Valingtine Kizer,

Durant, Indian Territory.

Dear Madam:

I inclose herewith a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered February 5, 1907, dismissing the petition for your enrollment as a citizen by intermarriage of the Choctaw Nation and denying the application and petition for the enrollment of Sarah E. Kizer, Cordelia Kizer, Julia A. Kizer, Arthur A. Kizer, and Hannah B. Kizer as citizens of said nation.

The decision, with the proceedings in the case is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED Tams Bixby

Commissioner.

C-97.
Registered.

C-97

COPY

Muskogee, Indian Territory, February 5, 1907.

Joshay S. Trimmer,

Folsom, Indian Territory.

Dear Sir:

I inclose herewith a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered February 5, 1907, dismissing the petition for your enrollment as a citizen by intermarriage of the Choctaw Nation, denying the application and petition for the enrollment of Lucinda F. Trimmer, David B. Trimmer, Luther W. Trimmer, Carlos S. Trimmer, Browdie E. F. Trimmer, Zillia Trimmer and Marvin A. Trimmer, dismissing the petition for the enrollment of James V. Trimmer, Ethel Ardith Trimmer and Argie Eunice Trimmer as citizens, and denying the application for the enrollment of Joe Trimmer as a citizen by blood of said nation.

The decision, with the proceedings in the case is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED Tams Bixby

Commissioner.

Registered.
C-97

C-97

COPY

Muskogee, Indian Territory, February 8, 1907.

David B. Trimmer,

Folsom, Indian Territory.

Dear Sir:

I inclose herewith a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered February 5, 1907, denying the application and petition for your enrollment and denying the application for the enrollment of Marshall Joshua Trimmer and Melvin Teddy Trimmer as citizens of the Choctaw Nation.

The decision, with the proceedings in the case is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED Tams Bixby

Commissioner.

C-97.
Registered.

C-97

COPY

Muskogee, Indian Territory, February 5, 1907.

F. P. Jennigs,

Coalgate, Indian Territory.

Dear Sir:

You are hereby notified that the Commissioner to the Five Civilized Tribes, on February 5, 1907, rendered his decision denying the application and petition for the enrollment of Sarah E. Kizer, Cordelia Kizer, Julia A. Kizer, Arthur A. Kizer, Hannah B. Kizer, Lucinda F. Trimmer, David B. Trimmer, Luther W. Trimmer, Carlos S. Trimmer, Browdie E. F. Trimmer, Zillia Trimmer and Marvin A. Trimmer, dismissing the petition for the enrollment of James V. Trimmer, Ethel Ardith Trimmer, and Argie Eunice Trimmer, denying the application for the enrollment of Marshall Joshua Trimmer and Melvin Teddy Trimmer as citizens, denying the application and petition for the enrollment of Joe Trimmer as a citizen by blood and dismissing the petition for the enrollment of Valingtine Kizer and Joshay S. Trimmer as citizens by intermarriage of the Choctaw Nation.

Respectfully,

SIGNED Tams Bixby

Commissioner.

Registered.
C-97.

C-97

COPY

Muskogee, Indian Territory, February 5, 1907.

C. M. Griffin,

Rgo, Indian Territory.

Dear Sir:

You are hereby notified that the Commissioner to the Five Civilized Tribes, on January 5, 1907, rendered his decision denying the application and petition for the enrollment of Sarah E. Kizer, Cordelia Kizer, Julia A. Kizer, Arthur A. Kizer, Hannah B. Kizer, Lucinda F. Trimmer, David B. Trimmer, Luther W. Trimmer, Carlos S. Trimmer, Browdie E. F. Trimmer, Zillia Trimmer and Marvin A. Trimmer, dismissing the petition for the enrollment of James V. Trimmer, Ethel Ardith Trimmer and Argie Eunice Trimmer, denying the application for the enrollment of Marshall Joshua Trimmer and Melvin Teddy Trimmer as citizens, denying the application and petition for the enrollment of Joe Trimmer as a citizen by blood and dismissing the petition for the enrollment of Valingtine Kizer and Joshay S. Trimmer as citizens by intermarriage of the Choctaw Nation.

Respectfully,

SIGNED Tams Bixby

Commissioner.

C-97
Registered.

C-97

COPY

Muskogee, Indian Territory, February 5, 1907.

Charles A. Cook,

Attorney at Law,

Muskogee, Indian Territory.

Dear Sir:

I inclose herewith a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered February 5, 1907, denying the application and petition for the enrollment of Sarah E. Kizer, Cordelia Kizer, Julia A. Kizer, Arthur A. Kizer, Hannah B. Kizer, Lucinda F. Trimmer, Davis B. Trimmer, Luther W. Trimmer, Carlos S. Trimmer, Browdie E. F. Trimmer, Zillia Trimmer and Marvin A. Trimmer, dismissing the petition for the enrollment of James V. Trimmer, Ethel Ardith Trimmer, and Argie Eunice Trimmer, denying the application for the enrollment of Marshall Joshua Trimmer and Melvin Teddy Trimmer as citizens and denying the application and petition for the enrollment of Joe Trimmer as a citizen by blood and dismissing the petition for the enrollment of Valingtine Kizer and Joshay S. Trimmer as citizens by intermarriage of the Choctaw Nation.

Respectfully,

SIGNED Tams Bixby

Commissioner.

Registered.
C-97.

C-97

COPY

Muskogee, Indian Territory, February 5, 1907.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

I inclose herewith a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered February 5, 1907, denying the application and petition for the enrollment of Sarah E. Kizer, Cordelia Kizer, Julia A. Kizer, Arthur A. Kizer, Hannah B. Kizer, Lucinda F. Trimmer, David B. Trimmer, Luther W. Trimmer, Carlos S. Trimeer, Browdie E. F. Trimmer, Zillia Trimmer and Marvin A. Trimmer, dismissing the petition for the enrollment of James V. Trimmer, Ethel Ardith Trimmer and Argie Eunice Trimmer, denying the application for the enrollment of Marshall Joshua Trimmer and Melvin Teddy Trimmer as citizens, denying the application and petition for the enrollment of Joe Trimmer as a citizen by blood and dismissing the petition for the enrollment of Valingtine Kizer and Joshay S. Trimmer as citizens by intermarriage of the Choctaw Nation.

Respectfully,

SIGNED Tams Bixby

Commissioner.

C-97

COPY

Muskogee, Indian Territory, February 5, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith record of proceedings in the matter of the enrollment of Sarah E. Kizer et al., including the decision of the Commissioner to the Five Civilized Tribes, dated February 5, 1907, denying the application and petition for the enrollment of Sarah E. Kizer, Cordelia Kizer, Julia A. Kizer, Arthur A. Kizer, Hannah B. Kizer, Lucinda F. Trimmer, David B. Trimmer, Luther W. Trimmer, Carlos S. Trimmer, Browdie E. F. Trimmer, Zillia Trimmer and Marvin A. Trimmer, dismissing the petition for the enrollment of James V. Trimmer, Ethol Ardith Trimmer and Argie Eunice Trimmer, denying the application for the enrollment of Marshall Joshua Trimmer and Melvin Teddy Trimmer as citizens, denying the application and petition for the enrollment of Joe Trimmer as a citizen by blood and dismissing the petition for the enrollment of Valingtine Kizer and Joshay S. Trimmer as citizens by intermarriage of the Choctaw Nation.

Respectfully,

SIGNED Tams Bixby

Commissioner.

C-97.
Through the
Commissioner of Indian Affairs.

D.C.12437.

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

L.R.S. J.P.
O.K.

I.T.D.
5080,5146,5148,5190-1907.
5194,5196,5200,5208-1907.
5212,5214,5322,5334,-1907.
5336,5344,5346,5360-1907.
5368,5384,5442 -1907.

February 26, 1907.

DIRECT.

Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:

Your decisions in the following Choctaw citizenship cases adverse to the applicants are hereby affirmed. Copies of Indian Office letters submitting your reports and recommending that the decisions be affirmed are inclosed:

Title of Case.	Date of Your Letter of Transmittal.
Walter Henry Farris,	January 16, 1907.
Maggie Bell et al.,	January 19, 1907.
Clarence Fisher (Freedman)	February 9, 1907.
Mary Ford, et al.,	November 9, 1906.
George M. Carpenter et al.,	December 24, 1906.
John Burditt et al.,	December 21, 1906.
Katie Segreves,	January 8, 1907.
Dewey C. Cantrell,	October 19, 1906.
Karl Byron Wood et al.,	January 17, 1907.
Ida Harrison (Intermarried)	January 16, 1907.
Sarah E. Kizer et al.,	February 6, 1907.
Paul Rowley et al.,	January 25, 1907.
Joseph C. Smith, et al.,	February 1, 1907.
Effie Rainey	January 26, 1907.
Tennessee Beard (intermarried)	January 23, 1907.
Emma Perry (intermarried)	November 8, 1906.
Samuel C. Wall et al.,	February 4, 1907.
Luella Hotchkin,	January 16, 1907.

A copy thereof and all the papers in the above mentioned
cause have been sent to the Indian Office.

Respectfully,

Assistant Secretary.

10 Enc. and 43 Encs.
For Ind. Off.

A.F.H.
3-1-07.

Land
13245-1907. Copy.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON.

February 26, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed the record of proceedings in the matter of the enrollment of [redacted] B. Kizer, et al., including the decision of the Commissioner to the Five Civilized Tribes dated February 5, 1907, denying the application and petition for the enrollment of Sarah E. Kizer, Cordelia Kizer, Julia A. Kizer, Arthur A. Kizer, Hannah B. Kizer, Lucinda F. Trimmer, David B. Trimmer, Luther W. Trimmer, Carlos S. Trimmer, Browdie E. F. Trimmer, Zillia Trimmer and Marvin A. Trimmer, James V. Trimmer, Ethel Ardith Trimmer and Argie Eunice Trimmer, Marshall Joshua Trimmer, Melvin Teddy Trimmer and Joe Trimmer as citizens of the Choctaw Nation, and dismissing the petition for the enrollment of Valingtine Kizer and Joshay S. Trimmer as citizens by intermarriage of the Choctaw Nation.

Commissioner Bixby reports that it does not appear from the records of his office that any of the applicants herein were ever enrolled as citizens of the Choctaw Nation by any duly [redacted] authority, and that their names do not appear on any of the tribal rolls of the Choctaw Nation in the possession of his office.

Therefore, by reason of the provisions of the Act of July 1, 1902, (32 Stat.L.,641), and the Act of April 26, 1906 (34 Stat.L.,137), the Office answers in the decision of Commissioner Bixby denying the enrollment of the applicants herein as citizens of the Choctaw Nation.

Very respectfully,

E. F. LADSHEER,

Acting Commissioner.

KEM.PK.

C-97

Muskogee, Indian Territory, April 6, 1907.

Valentine Kiser,

Durant, Indian Territory.

Dear Madam:

You are hereby advised that on February 28, 1907, the Secretary of the Interior affirmed the decision of this office of February 8, 1907, dismissing the petition for your enrollment as a citizen by intermarriage of the Choctaw Nation, and denying the application and petition for the enrollment of Sarah R. Kiser, Cordelia Kiser, Julia A. Kiser, Arthur A. Kiser and Hannah R. Kiser as citizens of said nation.

Respectfully,

Jno. D. Rodgers.

Acting Commissioner.

C-97

Muskogee, Indian Territory, April 6, 1907.

Joshua S. Trimmer,

Folsom, Indian Territory.

Dear Sir:

You are hereby advised that on February 28 1907, the Secretary of the Interior affirmed the decision of this office of February 5, 1907, dismissing the petition for your enrollment as a citizen by intermarriage of the Choctaw Nation, denying the application and petition for the enrollment of Lucinda F. Trimmer, David B. Trimmer, Luther W. Trimmer, Carlos S. Trimmer, Browdie K. F. Trimmer, Zillar Trimmer and Martin A. Trimmer, dismissing the petition for the enrollment of James V. Trimmer, Ethel Ardith Trimmer and Argie Eunice Trimmer as citizens, and denying the application for the enrollment of Joe Trimmer as a citizen by blood of said nation.

Respectfully,

Tams Bixby

Acting Commissioner.

C-97

Muskogee, Indian Territory, April 6, 1907.

David B. Trimmer,

Folsom, Indian Territory

Dear Sir:

You are hereby advised that on February 28, 1907, the Secretary of the Interior affirmed the decision of this office of February 5, 1907, denying the application and petition for your enrollment and denying the application for the enrollment of Marshall Joshua Trimmer and Melvin Teddy Trimmer as citizens of the Choctaw Nation.

Respectfully,

[illegible]

Acting Commissioner.

C-97

Muskogee, Indian Territory, April 6, 1907.

F. P. Jennings,

Coalgate, Indian Territory.

Dear Sir:

You are hereby advised that on February 28, 1907, the Secretary of the Interior affirmed the decision of this office of February 5, 1907, denying the application and petition for the enrollment of Sarah F. Kizer, Cordelia Kizer, Julia A. Kizer, Arthur A. Kizer, Hannah B. Kizer, Lucinda F. Trimmer, David B. Trimmer, Luther W. Trimmer, Carlos S. Trimmer, Browdie B. F. Trimmer, Zillia Trimmer and Marvin A. Trimmer, dismissing the petition for the enrollment of James V. Trimmer, Ethel Ardith Trimmer and Arzie Eunice Trimmer, denying the application for the enrollment of Marshall Joshua Trimmer and Melvin Trimmer as citizens, denying the application and petition for the enrollment of Joe Trimmer as a citizen by blood, and dismissing the petition for the enrollment of Valingtine Kizer and Joshay S. Trimmer as citizens by intermarriage of the Choctaw Nation.

Respectfully,

Geo. D. Rodgers.

Acting Commissioner.

C-97

Muskogee, Indian territory, April 6, 1907.

C. M. Gr[illegible]in,

Ero, Indian Territory.

Dear Sir:

You are hereby advised that on February 28, 1907, the Secretary of the Interior affirmed the decision of this office of January 5, 1907, denying the application and petition for the enrollment of Sarah E. Kizer, Cordelia Kizer, Julia A. Kizer, Arthur A. Kizer, Hannah E. Kizer, Lucinda W. Trimmer, David B. Trimmer, Luther W. Trimmer, Carlos S. Trimmer, Browdie E. P. Trimmer, Zillia Trimmer and Marvin A. Trimmer, dismissing the petition for the enrollment of James V. Trimmer, Ethel Ardith Trimmer and Argie Eunice Trimmer, denying the application for the enrollment of Marshall Joshua Trimmer and Melvin Teddy Trimmer as citizens, denying the application and petition for the enrollment of Joe Trimmer as a citizen by blood and dismissing the petition for the enrollment of [illegible]lingtine Kizer and Joshay S. Trimmer as citizen by intermarriage of the Choctaw Nation.

Respectfully,

Geo. D. Rodgers.

Acting Commissioner.

C-97

Muskogee, Indian Territory, April 6, 1907.

Charles A. Cook,

Attorney at Law,

Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that on February 23, 1907, the Secretary of the Interior affirmed the decision of this office of February 5, 1907, denying the application and petition for the enrollment of Sarah E. Kizer, Cordelia Kizer, Julia A. Kizer, Arthur A. Kizer, Hannah B. Kizer, Lucinda F. Trimmer, Davis B. Trimmer, Luther W. Trimmer, Carlos S. Trimmer, Browdie K. F. Trimmer, Zillia Trimmer and Marvin A. Trimmer, di missing the petition for the enrollment of James W. Trimmer, Ethel Ardith Trimmer, and Arzie Eunice Trimmer, denying the application for the enrollment of Marshall Joshua Trimmer and Melvin Teddy Trimmer as citizens and denying the application and petition for the enrollment of Joe Trimmer as a citizen by blood and dismissing the petition for the enrollment of Valingtice Kizer and Joshay S. Trimmer as citizens by intermarriage of the Choctaw Nation.

Respectfully,

Geo. D. Rogers.

Acting Commissioner.

C-97

Muskogee, Indian Territory, April 6, 1907.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on February 28, 1907, the Secretary of the Interior affirmed the decision of this office of February 5, 1906, denying the application and petition for the enrollment of Sarah M. Kizer, Cordelia Kizer, Julia A. Kizer, Arthur A. Kizer, Hannah B. Kizer, Lucinda F. Trimmer, David B. Trimmer, Luther W. Trimmer, Carlos S. Trimmer, Brownie M. F. Trimmer, Zillia Trimmer and Marvin A. Trimmer, dismissing the petition for the enrollment of James V. Trimmer, Ethel Ardith Trimmer and Argie Eunice Trimmer, denying the application for the enrollment of Marshall Joshua Trimmer and Melvin Teddy Trimmer as citizens, denying the application and petition for the enrollment of Joe Trimmer as a citizen by blood and dismissing the petition for the enrollment of Valingtice Kizer and Joshay S. Trimmer as citizens by intermarriage of the Choctaw Nation.

Respectfully,

[illegible]

Acting Commissioner.

DGL

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

)))))))))o(((((((((

In the matter of the application for the enrollment of Joseph Wayne Roller and Robert Loyce Roller as citizens by blood of the Choctaw Nation.

----------o----------

The applicants, Joseph Wayne Roller and Robert Loyce Roller, claim their rights to enrollment as citizens by blood of the Choctaw Nation through their mother Cordelia Kizer (now Roller).

The right of the applicants' mother, Cordelia Kizer (now Roller), to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, June 29, 1904, in case No. 125 upon the Tishomingo docket of said court, it is hereby ordered that the applications of Joseph Wayne Roller and Robert Loyce Roller for enrollment as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Tams Bixby,

Chairman.

Muskogee, Indian Territory,

Oct. 25, 1904.

Choctaw 5256

COPY.

Muskogee, Indian Territory, October 25, 1904.

J. S. Roller,

Folsom, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated October 25, 1904, dismissing the application for the enrollment of Joseph Wayne Roller and Robert Loyce Roller as citizens by blood of the Choctaw Nation.

Respectfully,

Chairman.

Registered.

Insl. 7-5256.

Cheetaw 5256

COPY.

Muskogee, Indian Territory, October 25, 1904.

Mansfield, McMurray & Cornish,

Attorneys for Cheetaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find copies of the orders of this Commission, dated October 25, 1904, dismissing the applications for the enrollment of Joseph Wayne Roller, Robert Loyce Roller and Nevaloy McFarland as citizens by blood of the Cheetaw Nation.

Respectfully,

(SIGNED)

Chairman.

1 Incl. 5256.

DEC

7-5254.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

COPY.

In the matter of the application for the enrollment of Novaley McFarland as a citizen by blood of the Choctaw Nation.

The applicant, Novaley McFarland, claims her right to enrollment as a citizen by blood of the Choctaw Nation through her mother Julia A. Kimer (now McFarland). The right of the applicant's mother Julia A. Kimer (now McFarland), to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, June 29, 1904, in case No. 135 upon the Tishomingo docket of said court, it is hereby ordered that the application of Novaley McFarland for enrollment as a citizen by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

SIGNED

Tams Bixby

COMMISSIONER.

Muskogee, Indian Territory,

OCT 25 1904

Choctaw 5256

COPY.

Muskogee, Indian Territory, October 25, 1904.

W. B. McFarland,

Folsom, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated October 25, 1904, dismissing the application for the enrollment of Nevaloy McFarland as a citizen by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

Chairman.

Registered.

Incl. 7-5256.

Choctaw 5256

COPY.

Muskogee, Indian Territory, October 25, 1904.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find copies of the orders of this Commission, dated October 25, 1904, dismissing the applications for the enrollment of Joseph Wayne Reller, Robert Leyce Reller and Nevaloy McFarland as citizens by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

Chairman.

1 Incl. 5256.

Muskogee, Indian Territory, January 3, 1902.

W. B. McFarland,

Folsom, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the marriage license and certificate between W. B. McFarland and Miss Alice J. Kiser, and the same has been duly filed with the records of this office.

Receipt is also acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Nevaley McFarland, the infant daughter of W. B. and Julia Alice McFarland, born December 3, 1901, and the same being in proper form has been duly filed and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Commissioner in Charge.

7-5256

Muskogee, Indian Territory, March 24, 1902.

J. S. Keller,

Folsom, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Robert Loyce Folsom, the infant son of J. S. and Cordelia E. Keller, born February 24, 1902, and the same being in proper form has been duly filed with the records of the Commission.

You are requested to furnish the Commission with legal evidence of the marriage between yourself and Cordelia E. Keller in the matter of the application for enrollment of your two minor children.

This matter should receive your prompt attention.

Yours truly,

Commissioner in Charge.

[redacted].

Muskogee, Indian Territory, April 8, 1902.

J. S. Heller,
Nelson, Indian Territory.

Dear Sir:-

Receipt is hereby acknowledged of your letter of the 29th ultimo, enclosing marriage license and certificate between J. S. Heller and Dalia Riser, and the same had been duly filed with the records of the Commission in the matter of the application for enrollment of Joseph W., and Robert Loyse Heller, minor children of J. S., and Cordelia Heller.

Yours [redacted],

Commissioner in Charge.

Choctaw 4728
5236

Muskogee, Indian Territory, August 19, 1903.

F. M. Settle,

Wynnewood, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of August 13, asking if F. P. Jennings and his wife, Mary Jennings, and Mrs. Selle E. Kizer are citizens by blood of the Choctaw Nation.

In reply to your letter you are informed that it appears from our records that Mary E. Jennings, now Mary E. Boyd, who was formerly the wife of Henry Jennings, and her children, Georgia D., Arthur C. and Lilburn L. Jennings and Lillie M. Boyd have been listed for enrollment as citizens by blood of the Choctaw Nation but their names have not yet been placed upon the schedule of citizens of said Nation prepared for forwarding to the Secretary of the Interior.

It further appears from our records that Sarah E. Kizer, wife of Valentine Kizer, and her family were admitted to citizenship in the Choctaw Nation by a judgment of the United States court for the central district of Indian Territory rendered at South McAlester January 18, 1896, in court case (citizenship docket) number 77.

Under the provisions of the act of Congress of July 1, 1902, which was ratified by the Choctaw and Chickasaw Nations Sep-

FESS

tember 25, 1902, the Commission is prohibited from enrolling or making any allotment of the lands in the Choctaw and Chickasaw Nations to persons whose citizenship is dependent upon judgments of the United States court in Indian Territory, until their right thereto has been finally determined.

Respectfully,

Commissioner in Charge.

946/145

REFER IN REPLY TO THE FOLLOWING:

Land
13245-1907.

Copy.

DEPARTMENT OF THE INTERIOR,

OFFICE OF INDIAN AFFAIRS,

WASHINGTON.

February 26, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed the record of proceedings in the matter of the enrollment of Sarah E. Kizer et al, including the decision of the Commissioner to the Five Civilized Tribes dated February 5, 1907, denying the application and petition for the enrollment of Sarah E. Kizer, Cordelia Kizer, Julia A. Kizer, Arthur A. Kizer, Hannah B. Kizer, Lucinda F. Trimmer, David B. Trimmer, Luther W. Trimmer, Carlos S. Trimmer, Browdie E. F. Trimmer, Zillia Trimmer and Marvin A. Trimmer, James V. Trimmer, Ethel Ardith Trimmer and Argie Eunice Trimmer, Marshall Joshua Trimmer, Melvin Teddy Trimmer and Joe Trimmer as citizens of the Choctaw Nation, and dismissing the petition for the enrollment of Valingtine Kizer and Joshay S. Trimmer as citizens by intermarriage of the Choctaw Nation.

Commissioner Bixby reports that it does not appear from the records of his office that any of the applicants herein were ever enrolled as citizens of the Choctaw Nation by any duly constituted authority, and that their names do not appear on any of the tribal rolls of the Choctaw Nation in the possession of his office.

Therefore, by reason of the provisions of the Act of July 1, 1902, (32 Stat. L., 641), [illegible] Act of April 26, 1906 (34 Stat. L., 137), the Office concurs in the decision of Commissioner Sixby denying the enrollment of the applicants herein as citizens of the Choctaw Nation.

Very respectfully,

C. F. LARRABEE

Acting Commissioner.

EBM.Ph.

Choc 5257 Lucinda F. Trimmer

#9-10 Dismissed oct 25, 1904

#7 Dismissed Feb 1, 1905

See C-97

Record in Choctaw # 5256

5257

Muskogee, Indian Territory, February 13,1900.

Mrs. Lucinda F. Trimmer,

Robbers Roost, Indian Territory,

Dear Madam:

The Commission is in receipt of your letter of February 9, inclosing the affidavit of Sarah M. Kiser in the matter of the application for enrollment as a citizen of the Cheotaw Nation of Ethel Ardith Trimmer. This will not be suffisient evidence of the fact of the birth of the child, and a formal blank is inclosed you herewith for the affidavit of yourself as the mother and one for the attending physician or nurse. If the signatures are by mark it will be necessary for them to be witnesses by two disinterested parties, and the Notary taking the acknowledgment must attach his notarial seal to both of the affidavits.

The Commission notes what you say in regard to former letters and we find that you were written on January 20, and February 8, stating that blank applications for enrollment were inclosed. The omission was a clerical error. The Commission regrets that the same were not previously sent. The affidavit of Sarah M. Kiser has been filed with the records of the Commission.

Yours truly,

Acting Chairman.

H.G.

Muskogee, Indian Territory, December 2, 1901.

J. S. Trimmer,

Folsom, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Argie Eunice Trimmer, the infant daughter of J. S. and Lucinda F. Trimmer, born October 24, 1901, and the same being in proper form has been duly filed with the records of this Commission and the child listed for enrollment as a citizen of the Choctaw Nation.

Yours truly,

7-5257

7-5257

Muskogee, Indian Territory, February 20, 1906.

C. M. Griffin,

Rgo, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of February 12, 1906, in which you ask if white children of an intermarried citizen of the Choctaw Nation are entitled to enrollment and also if David Grant Trimmer has been enrolled.

In reply to your letter you are advised that the information contained therein is not sufficient to enable this office to identify David Grant Trimmer upon its records as an applicant for enrollment in the Choctaw Nation.

There is inclosed herewith for your information copy of the opinion of the Assistant Attorney General in the Choctaw enrollment case of Mary Elizabeth Martin and circular showing regulations adopted January 2, 1906, for the presentation of cases of this character.

Respectfully,

Acting Commissioner.

Circular.
M. E. M.

REFER IN REPLY TO THE FOLLOWING:
7-8257

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, September 4, 1906.

C. C. McCarty,

Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the affidavits of Mattie E. Trimmer and Lucinda F. Trimmer to the birth of Melvin Teddy Trimmer and Marshel Joshua Trimmer, children of David B. and Mattie E. Trimmer, June 27, 1906, and September 7, 1902.

Respectfully,

W. C. Dean

Acting Commissioner.

ABT
DCL

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of James V. Trimmer as a citizen by blood of the Choctaw Nation.

The applicant, James V. Trimmer, claims the right to enrollment as a citizen by blood of the Choctaw Nation through his mother Lucinda F. Trimmer.

The right of the applicant's mother, Lucinda F. Trimmer to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court of June 29, 1904, in case No. 125, upon the Tishomingo docket of said court, it is hereby ordered that the application of James V. Trimmer for enrollment as a citizen by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Tams Bixby,
Chairman.

Muskogee, Indian Territory,
Feb. 1, 1905.

Choctaw 5257

COPY

Muskogee, Indian Territory, February 1, 1905.

Lucinda F. Trimmer,

Folsom, Indian Territory,

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated February 1, 1905, dismissing the application for the enrollment of your son, James V. Trimmer, as a citizen by blood of the Choctaw Nation.

Respectfully,

[redacted]

Tams Bixby

Chairman.

Registered.

Incl. 7-5257

Choctaw 5257

COPY.

Muskogee, Indian Territory, February 1,1905.

Mansfield, McMurray & Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission dated February 1, 1905, dismissing the application for the enrollment of James V. Trimmer as a citizen by blood of the Choctaw Nation.

Respectfully,

James Bixby
Chairman.

Incl. 7-5257

D620

7-2287.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

---o---

COPY.

In the matter of the application for the enrollment of Ethel Ardith Trimmer and Argie Eunice Trimmer as citizens by blood of the Choctaw Nation.

---o---

The applicants, Ethel Ardith Trimmer and Argie Eunice Trimmer, claim their rights to enrollment as citizens by blood of the Choctaw Nation through their mother Lucinda F. Trimmer. The right of the applicants' mother, Lucinda F. Trimmer, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, June 29, 1904, in case No. 125 upon the Tishomingo docket of said court, it is hereby ordered that the application of Ethel Ardith Trimmer and Argie Eunice Trimmer for enrollment as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

(SIGNED)

Tams Bixby

Chairman.

Muskogee Indian Territory,

OCT 25 1904

7-3257

COPY.

Muskogee, Indian Territory, October 25, 1904.

J. S. Trimmer,

Folsom, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated October 25, 1904, dismissing the application for the enrollment of your minor children, Ethel Ardith Trimmer and Argie Eunice Trimmer as citizens by blood of the Choctaw Nation.

Respectfully,

SIGNED

Tams Bixby

Chairman.

Registered.

Incl. 7-3257.

7-5257

COPY.

Muskogee, Indian Territory, October 25, 1904.

Mansfield, McMurray and Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission, dated October 25, 1904, dismissing the application for the enrollment of Ethel Ardith Trimmer and Argie Eunice Trimmer as citizens by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

Tams Bixby

Chairman.

Incl. 7-5257.

Choc 5258 Joseph V. Kizer

5258

Chickasaw Court Card C. 303

In the application of Joseph V. Kizer.

Joseph V. Kizer says:

Since December last I have been in the Chickasaw Nation. I am son of Mrs. Kizer.

Calvert, Oct. 12 1898.

Joseph V. Kizer

enrolled.

Chc 5259 Francis M. Kizer

#2-3 Dismissed 10-25-04

5259

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

----o----

Record in the matter of the application for enrollment as citizens by blood of the Choctaw Nation of:

EDGAR O. KIZER, ET AL., 7 -5259.

INDIAN TERRITORY)
CENTRAL DISTRICT) ss

I hereby certify that this instrument was filed for record in my office at ..... O'clock .... M ..... 1900 and is duly recorded in Book 6 ..... page 81

A B Stoner Clerk.

By M L Stoner Deputy

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
OCT 25 1900

ACTING CHAIRMAN.

MARRIAGE LICENSE.

UNITED STATES OF AMERICA.
INDIAN TERRITORY,
Second Judicial Division. } ss.

You are hereby commanded to solemnize the Rite and publish the Banns of Matrimony between Mr. Francis Fisher of Durant in the Indian Territory, aged 24 years and Miss Julia Watson of Durant in the Indian Territory, aged ____ years, according to law. And do you officially sign and return this License to the parties therein named.

WITNESS my hand and and Official Seal this 6 day of April A. D. 1895

C. Rickloner
CLERK OF THE U. S. COURT
BY W. L. Stone
DEPUTY

CERTIFICATE OF MARRIAGE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY.
SECOND JUDICIAL DIVISION } ss.

I, [illegible]
A. [illegible]

do hereby certify, that on the ____ day of [illegible] A. D. 189[illegible]
I did duly and according to law, as commanded in the foregoing License, solemnize the Rite and publish the Banns of Matrimony between the parties therein named.

Witness my hand this 7 day of April
A. D. 1895

[illegible] in the office of the Clerk of the UNITED STATES Court in the Indian Territory Book A Page 269
3rd Judicial Division
A. D. Cr[illegible]
A. M. G.

NOTE:—This License and Certificate of Marriage must be returned to the Office of the Clerk of the United States Court in the Indian Territory, from whence it was issued, within sixty days from the date thereof, or the party to whom the License was issued will be liable in the amount of One Hundred Dollars ($100.)

304

Francis M. Kizer and others.

Francis M. Kizer says:

My child Edgar O. was born October 5th 1898 .

I have been living in the Chickasaw Nation since 1892., continuously.

Three years ago I was in Texas at school 3 1/2 months.

Collert. Oct. 12 1898.

Francis M. Kizer
Edgar O. Kizer

enrolled.

CHOCTAW.

20

IN RE

Application for Enrollment of

a

INFANT CHILD

Fay Elbert Kiser

as a citizen of the

CHOCTAW Nation.

Approved, OCT 16 1900 190.

Commissioner.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
OCT 16 1900

ACTING CHAIRMAN

CHOCTAW.

5239.

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Chickasaw Nation,

of Hoy Elbert Kiser, born on the 14th day of Feb, 1900

(Here insert name of child.)

Name of Father: A. M. Kiser, a citizen of the Chickasaw Nation.

Name of Mother: Julia Alice Kiser, a citizen of the Chickasaw Nation.

Post-office, Emet, Indian Ter.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY. }
Southern District. }

I, Julia Alice Kiser, on oath state that I am 21 years of age and a citizen, by Marriage, of the Chickasaw Nation; that I am the lawful wife of A. M. Kiser, who is a citizen, by Blood, of the Chickasaw Nation; that a male (male or female) child was born to me on the 14th day of February, 1900; that said child has been named Hoy Elbert, and is now living.

Julia Alice her X mark Kiser

WITNESSES TO MARK.

(Must be Two Witnesses.) W. V. Ryan
G. E. Kizer

Subscribed and sworn to before me this 5 *day of* Oct *1901.*

Ed Franklin

NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY. }
Southern District. }

I, D. Kennedy, a Physician, on oath state that I attended on Mrs. Julia Alice Kiser, wife of A. M. Kiser, on the 14 day of February, 1900; that there was born to her on said date a Male (male or female) child; that said child is now living and is said to have been named Hoy Elbert

Ponner, Tennessee 16, 05

WITNESSES TO MARK

(Must be Two Witnesses)

Subscribed and sworn to before me this 5 *day of* Oct *1900.*

Ed Franklin

NOTARY PUBLIC.

DCD

7-5259.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

----o----

In the matter of the application for the enrollment of Edgar O. Kizer and Foy Elbert Kizer as citizens by blood of the Choctaw Nation.

----o----

The applicants, Edgar O. Kizer and Foy Elbert Kizer, claim their rights to enrollment as citizens by blood of the Choctaw Nation through their father, Francis M. Kizer. The right of the applicants' father, Francis M. Kizer, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, June 29, 1904, in case No. 125 upon the Tishomingo docket of said court, it is hereby ordered that the applications of Edgar O. Kizer and Foy Elbert Kizer for enrollment as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Chairman.

Muskogee, Indian Territory,

OCT 26 1904

COPY. Choctaw 8858

Muskogee, Indian Territory, October 28, 1904.

Francis M. Kiser,

Mead, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated October 28, 1904, dismissing the application for the enrollment of Edgar O. Kiser and Roy Elbert Kiser as citizens by blood of the Choctaw Nation.

Respectfully,

SIGNED

Tams Bixby

Chairman.

Registered.

Incl. 7-5259.

Choctaw 5259

COPY.

Muskogee, Indian Territory, October 25, 1904.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission, dated October 25, 1904, dismissing the application for the enrollment of Edgar O. Kizer and Foy Elbert Kizer as citizens by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

Chairman.

Incl. 7-5259.

[illegible], Oklahoma, October 19, 1900.

[illegible],

[illegible],

Dear Sir:

The Commission is in receipt of the application for enrollment as a citizen by blood of the Choctaw Nation of Roy Kibert Kizer, the infant son of Francis M. and Julia Alice Kizer, born September 14th, 1900.

The same is in proper form and will be accepted by the Commission as evidence of the birth of your child, Roy Kibert Kizer.

It will be necessary, however, for the Commission to be supplied with the evidence of marriage of yourself and Julia Alice Kizer in the matter of the enrollment of your two children, Kibert O. and Roy Kibert Kizer. You are requested to furnish the Commission as early as possible with either the original or certified copy of your marriage license and certificate.

Yours truly,

Acting Chairman.

In reply please
refer to [illegible]

Muskogee, Indian Territory, October 27, 1900.

Francis M. Kizer,

Mead, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of the 22nd instant enclosing marriage license and certificate between Francis M. Kizer and Julia Watson offered to the Commission for filing in the matter of the enrollment of your children Edgar O. and Foy Elbert Kizer and the same has been duly filed with the records of the Commission.

Yours truly,

Acting Chairman.

7-8259

Muskogee, Indian Territory, December 21, 1900.

James Johnson,

Mead, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of the 16th instant, in which you state that Frank Kizer has attached your crop and in which you desire to be informed if he is a citizen of the Choctaw or Chickasaw Nation.

In reply to your letter you are informed that the records of the Commission show that Francis M. Kizer, 27 years of age, of Mead, Indian Territory, is listed for enrollment as a citizen of the Choctaw Nation, having been admitted to such citizenship by judgment of the United States Court for the Central District of the Indian Territory, rendered at South McAlester, Indian Territory January 18th, 1898 in Court case No. 77.

Yours truly,

Acting Chairman.

7-5259

Cloc 5260 James S. Kizer

#2-3 Dismissed 10-25-04

5260

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

----o----

Record in the matter of theapplication for enrollment as citizens by blood of the Choctaw Nation f:

JESSE E. KIZER, ET AL., 7-5260.

[illegible] Court Card C. 305

[illegible] of James S. Kizer and others.

James S. Kizer says:

Jesse E. was born December 11th 1897 . I have been living in the Territory continuously since 1893. I am son of Mrs. Kizer.

[illegible], Oct. 12 1898.

James S. Kizer
Jesse E. Kizer

enrolled.

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Lonnie Everk Kiser (Here insert name of child.), born on the 17th day of March, 1900
Name of Father: James B. Kiser, a citizen of the Choctaw Nation.
Name of Mother: Emma L Kiser, a citizen of the Choctaw Nation.
Postoffice, Silo I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY.
Southern Jud. District.

I, Emma L Kiser, on oath state that I am Twenty three years of age and a citizen, by Marriage, of the Choctaw Nation; that I am the lawful wife of James B. Kiser, who is a citizen, by Blood, of the Choctaw Nation; that a male (male or female) child was born to me on the 17th day of March, 1900 that said child has been named Lonnie Everk Kiser, and is now living.

Emma L Kiser

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 14th day of April, 1900

M M Webster
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY.
Southern Jud. District.

I, R. D. Montgomery, a Physician, on oath state that I attended on Mrs. Emma L Kiser, wife of James B. Kiser, on the 17th day of March, 1900 that there was born to her on said date a male (male or female) child; that said child is now living and is said to have been named Lonnie Everk Kiser

R. D. Montgomery

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 14th day of April, 1900

M M Webster
NOTARY PUBLIC.

Dbd

7-5260.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

----o----

In the matter of the application for the enrollment of Jesse E. Kizer and Lonnie Evert Kizer as citizens by blood of the Choctaw Nation.

----o----

The applicants, Jesse E. Kizer and Lonnie Evert Kizer, claim their rights to enrollment as citizens by blood of the Choctaw Nation through their father James S. Kizer. The right of the applicants' father, James S. Kizer, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, June 29, 1904, in case No. 125 upon the Tishomingo docket of said court, it is hereby ordered that the applications of Jesse E. Kizer and Lonnie Evert Kizer for enrollment as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Chairman.

Muskogee, Indian Territory,

OCT 25 1904

Choctaw 3260.

COPY.

Muskogee, Indian Territory, October 25, 1904.

James S. Kizer,

Silo, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated October 25, 1904, dismissing the application for the enrollment of Jesse E. Kizer and Lonnie Evert Kizer as citizens by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

Tams Bixby

Chairman.

Registered.

Incl. 7-3260.

COPY. Choctaw 8260.

Muskogee, Indian Territory, October 26, 1904.

Mansfield, McMurray & Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission, dated October 25, 1904, dismissing the application for the enrollment of Jesse E. Kiser and Lonnie Everett Kiser as citizens by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

Tams Bixby

Incl. 7-8260. Chairman.

Choc 5261 Mary L. Jennings

Nos 2-3 Dismissed Oct 25, 1904

5261

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

----o----

Record in the matter of the application for enrollment as citizens by blood of the Choctaw Nation of:

ELIZEBETH F. JENNINGS, ET AL., 7-5261.

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Elizebeth F. Jennings, born on the 15 day of May, 1899.
Name of father: Fred. P. Jennings, a citizen of the U.S. living in Chickasaw Nation.
Name of mother: Mary L. Jennings (nee Kiser), a citizen of the Choctaw Nation.
Post Office: Wynnewood, Chickasaw Nation I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District.

I, Mary L. Jennings, on oath, state that I am 23 years of age and a citizen, by blood, of the Choctaw Nation; that I am the lawful wife of Fred. P. Jennings who is a citizen, by intermarriage of the Choctaw Nation; that a female child was born to me on the 15-th day of May, 1899; that said child has been named Elizebeth F. Jennings and is now living.

Mary L. Jennings

Subscribed and sworn to before me this 11 day of September, 1899.
my commission expires Nov 18 1902
David Williams
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Southern District.

I, W. E. Settle, a Physician, on oath, state that I attended on Mrs. Mary L. Jennings, wife of Fred. P. Jennings on the 15 day of May, 1899; that there was born to her on said date a female child; that said child is now living and is said to have been named Elizebeth Freda Jennings

W. E. Settle M. D.

Subscribed and sworn to before me this 11 day of Sept, 1899.
David Williams
Notary Public.

CHOCTAW.

IN RE

Application for Enrollment of

INFANT CHILD

Francis James Jennings

as a citizen of

Choctaw Nation.

Approved, SEP -4 1901 190

C. R. Breckinridge.
Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
SEP 4 1901

ACTING CHAIRMAN

CHOCTAW.
3361

BIRTH AFFIDAVIT. 20 1

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Choctaw Nation,
of Francis Jas Jennings (Here insert name of child), born on the 19th day of August, 1901
Name of Father: Frederick P. Jennings, a citizen of the Choctaw Nation.
Name of Mother: Mollie L. Jennings formerly Mollie L. Kizer, a citizen of the Choctaw Nation.
Post-office, Wynnewood, Ind Ter,

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Southern Judicial District.

I, Mollie L Jennings nee M. L. Kizer, on oath state that I am 25 years of age and a citizen, by blood or birth, of the Choctaw Nation; that I am the lawful wife of Frederick P. Jennings, who is a citizen, by marriage, of the Choctaw Nation, that a male (male or female.) child was born to me on the 19th day of August 1901; that said child has been named Francis Jas Jennings, and is now living.

Mollie L Jennings

WITNESSES TO MARK (Must be Two Witnesses)
Linnie Castleman
Ida Johnson.

Subscribed and sworn to before me this 28th *day of* August *1901.*

David Williams
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Southern Judicial District.

I, W. E. Settle, a Physician, on oath state that I attended on Mrs. Mollie L. Jennings, wife of Frederick P. Jennings, on the 19th day of August, 1901; that there was born to her on said date a male (male or female) child; that said child is now living and is said to have been named Francis James Jennings

W. E. Settle M.D.

WITNESSES TO MARK: (Must be Two Witnesses)

Subscribed and sworn to before me this 28th *day of* August *1901.*

David Williams
NOTARY PUBLIC

C/6W

7-5261.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

----o----

In the matter of the application for the enrollment of Elizebeth F. Jennings and Francis Jas. Jennings as citizens by blood of the Choctaw Nation.

----o----

The applicants, Elizebeth F. Jennings and Francis Jas. Jennings, claim their right to enrollment as citizens by blood of the Choctaw Nation through their mother Mary L. Jennings. The right of the applicants' mother, Mary L. Jennings, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, June 29, 1904, in case No. 125 upon the Tishomingo docket of said court, it is hereby ordered that the applications of Elizebeth F. Jennings and Francis Jas. Jennings for enrollment as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Chairman.

Muskogee, Indian Territory,

OCT 25 1904

Choctaw 5261

COPY.

Muskogee, Indian Territory, October 25, 1904.

Fred P. Jennings,

Coalgate, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated October 25, 1904, dismissing the application for the enrollment of Elizabeth P. Jennings and Francis Jas. Jennings as citizens by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

Tams Bixby

Chairman.

Registered.
Ind. T -5261

Choctaw 5261

COPY.

Muskogee, Indian Territory, October 25, 1904.

Mansfield, McMurray & Cornish,

Atterneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission, dated October 25, 1904, dismissing the application for the enrollment of Elizabeth F. Jennings and Francis Jas. Jennings as citizens by blood of the Choctaw Nation.

Respectfully,

SIGNED

Tams Bixby

Chairman.

Incl. 7-5261.

Muskogee, Indian Territory, September 4, 1901.

Frederick P. Jennings,

Wynnewood, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Choctaw Nation of Francis Jas. Jennings, the infant son of Frederick P. Jennings and Mollie L. Jennings, born August 19th, 1901, and the same being in proper form has been duly filed with the records of this office and the child listed for enrollment as acitizen of the Choctaw Nation.

In the affidavit of the mother she states that her name is Mollie L. Jennings, while her name appears upon our records as Mary L. Jennings. Please inform this office which is her correct name.

Yours truly,

Commi

7-8261

Muskogee, Indian Territory, September 12, 1901.

Mr. Frederick P. Jennings,

[redacted], Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 7th instant, in which you state that Nellie L. Jennings and Mary E. Jennings are identically the same person. You are informed that your letter has been duly filed with the records of the Commission.

Yours truly,

Commissioner in Charge.

7-5261

Choctaw 5261

Muskogee, Indian Territory, January 21, 1904.

Frederick P. Jennings,

Coalgate, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of January 11, 1904, in which you ask the status of those citizens whose cases are docketed and pending in the citizenship court in Accordance with the provisions of the act of Congress of July 1, 1902, and if they are not legally entitled to all the rights of citizens until their cases are decided.

You state that your wife, Mary L. Jennings, a Choctaw citizen by blood, is the lawful owner of improvements on the NW/4 of section 22, township 2 N, range 2 E, "and the N/4 of the SW/4" of the same section containing forty acres, which has been unlawfully and fraudulently sold by James Evans to another Indian, who is now claiming a five year's lease on this land. You also ask for a copy of rules of protest in the Choctaw-Chickasaw allotment cases.

In reply to your letter you are informed that under the provisions of the act of Congress of July 1, 1902, which was ratified by the Choctaw and Chickasaw Nations September 25, 1902, the Commission is prohibited from enrolling or making any allotment of land in the Choctaw or Chickasaw Nation to those persons whose citizenship in said nations is dependent upon judgments of the United

F P J 2

States Court in Indian Territory, until their right to such citizenship has been finally determined.

You are informed, however, that if other persons have selected the land claimed by your wife, Mary A. Jennings, as her allotment, upon her personal appearance at the Chester Land Office, she will be permitted to make application for said land, and will be permitted to institute contest proceedings therefor.

There is enclosed you herewith, in compliance with your request, a copy of Rules and Regulations governing the selection of allotments and the designation of homesteads in the Choctaw and Chickasaw Nations.

Respectfully,

Rules and Regulations.

Commissioner in Charge.

(Court Card) O. 306

Application of Mary L. Jennings.

Mary L. Jennings says:

I was admitted as "Mary L Kizer". I have been living in the Chickasaw Nation until August 14th, since which time I have been living in the Chickasaw Nation. I have been living in the Chickasaw Nation since 1892.

Colbert, Oct. 12 1898.

Mary L. Jennings

enrolled.

S

Chac 5262 Thomas miller

5262

Choctaw Court Card C. 307

In relation of Thomas Miller and others.

Examination of McConnor

Thomas Miller says:

I have been living in the Chickasaw nation 4 years. I have been living in the Nation 16 years. I came from Texas. I am about 1/8 Choctaw. My father was an Indian. My mother was a Cherokee. My mother was not enrolled as a Cherokee. My father was not enrolled .

Collbert, Oct. 12 1898.

Thomas Miller

enrolled.

Cloc 5263 william miller

no2 Dismissed may 13, 1904

no3 Dismissed may 27, 1904

5263

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

----o----

Record in the matter of the application for enrollment as a citizen by blood of the Choctaw Nation of:

Fenus M. Miller, 7-5263.

----o----

JGD

7-5263.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

----o----

In the matter of the application for the enrollment of Fenus M. Miller as a citizen by blood of the Choctaw Nation.

----o----

The applicant, Fenus M. Miller, claims her right to enrollment as a citizen by blood of the Choctaw Nation through her father William Miller. The right of the applicant's father, William Miller, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, March 9, 1904, in case No. 61, upon the South McAlester docket of said court, it is hereby ordered that the application of Fenus M. Miller for enrollment as a citizen by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Chairman.

Muskogee, Indian Territory,

COPY.

Muskogee, Indian Territory, June 7, 1904.

William Miller,

Wireton, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated May 27, 1904, dismissing the application for enrollment as a citizen by blood of the Choctaw Nation of Fanny M. Miller.

Respectfully,

(SIGNED)

Tams Bixby.

Chairman.

Registered.

Incl. 7-5263.

Choctaw 5334

Copy

Muskogee, Indian Territory, July 7, 1906.

Mansfield, McMurray & Cornish,
Attorneys for Chester and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated May 17, 1906, dismissing the application for enrollment as a citizen by blood of the Chester Nation of Emma M. Miller.

Respectfully,

(SIGNED)

Tams Bixby.

Chairman.

Registered.

Encl. 7-5263.

(See Choctaw 5334 for registry receipt for this letter.)

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

----o ---

Record in the matter of the application for enrollment as a citizen by intermarriage of the Choctaw Nation of:

VICEY J. MILLER ---------- 7-5263.

---oo---

Department of the Interior,
Commission to the Five Civilized Tribes.
I hereby certify upon my official oath as stenographer to the above named Commission, that this transcript is a true, full and correct translation of my stenographic notes.
M D Green

Commission to the Five Civilized Tribes,

South McAlester, Indian Ter

In the enrollment of Vicy J Miller as an intermarried Choctaw; being sworn and examined by Com'r McKennon she states:

Q What is your name? A Vicy J. Miller.

Q How old are you? A Twenty-one.

Q You present here a license issued by the Clerk of the United States Court at Ardmore, December 27th 1897, to marry W. H. Miller is he the same William Miller that was admitted by the United States Court at South McAlester August 25th 1897? A Yes sir.

Q Were you ever married to him before this time? A No sir

Q Never were? A No sir

Q You never married him but once? A No sir

Q Where was he living at the time he married you? A The other side of Gaines Creek in the Choctaw Nation.

Q How long had you been living there? A About a year

Q Where did you come from? A I was born in Texas, I have been in the Choctaw and Chickasaw Nation twelve or fifteen years.

Q How long had he been living there? A He hadn't been living there long when we married; he had been there about a month.

Q Where did he come from? A From Barton in the Choctaw Nation.

Q Did you live at Roff then in the Chickasaw Nation? A Yessir

Q Where did he live? A At Barton, Choctaw Nation.

Q Where did he marry you? A Down by Roff in the Chickasaw Nation

Q Did he live in the Choctaw Nation when he married you?

A Yes sir

Q What is the date of the birth of that child? A It was born 15th of February 1899.

Q What is its name? A Venus M.

No 109.

Certificate of Record of Marriage.

UNITED STATES OF AMERICA,)
THE INDIAN TERRITORY, } set.
SOUTHERN DISTRICT.)

I, JOSEPH W. PHILLIPS, Clerk of the United States Court in the Territory and District aforesaid,

DO HEREBY CERTIFY that the License for, and Certificate of Marriage of

Mr. W. A. Miller and

M V. J. Lucas

were filed in my office in said Territory and District the 1 day of Jan A. D., 189 8 and duly recorded in book C of Marriage Record, page 293

WITNESS my hand and seal of said Court, at Ardmore, this 1 day of Jany A. D., 189 8.

JOSEPH W. PHILLIPS, CLERK

By ..... Deputy.

Ardmoreite Steam Job Print.

Return to Ardmore as soon as read

FILED

JAN 1 1898

7-5263

No.

Marriage * License.

United States of America,
THE INDIAN TERRITORY.
SOUTHERN DISTRICT. } ss.

To any Person Authorized by Law to Solemnize Marriage, Greeting:

You are hereby commanded to solemnize the Rite and publish the Banns of Matrimony between M. W. H. Miller of Wirtonwin I.T. in the Indian Territory, aged 23 years, and Miss V. A. Simcoe of Ryff in the Indian Territory, aged 20 years, according to law, and do you officially sign and return this License to the parties therein named.

WITNESS my hand and Official Seal, this 27 day of Dec A. D., 1897.

By J. Flemmy Dep'ty

CHAS. M. CAMPBELL,
CLERK OF THE UNITED STATES COURT.

* *

Certificate of Marriage.

UNITED STATES OF AMERICA,
THE INDIAN TERRITORY.
SOUTHERN DISTRICT. } I. R H J Hacker a Gospel Minister

DO HEREBY CERTIFY, that on the 28th day of Dec. A. D. 1897 I did duly and according to law, as commanded in the foregoing License, solemnize the Rite and publish the Banns of Matrimony between the parties therein named.

WITNESS my hand this 29 day of December A. D. 1897

My credentials are recorded in the office of the Clerk of the United States Court, Indian Territory, Southern District, at Ardmore, Book 2 Page 165

R H J Hacker
a Gospel Minister

NOTE—This License and Certificate of Marriage must be returned to the Office of the Clerk of the United States Court in the Indian Territory, from whence it was issued, within sixty days from the date thereof, or the party to whom the License was issued will be liable in the amount of One Hundred Dollars ($100.)

7-5263.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

----:----

In the matter of the application of Vicey J. Miller for enrollment as a citizen by intermarriage of the Choctaw Nation.

----o----

The applicant, Vicey J. Miller, claims her right to enrollment as a citizen by intermarriage of the Choctaw Nation by reason of her marriage to one William Miller. The right of the applicant's husband, William Miller, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, of March 9, 1904, in case No. 61, upon the South McAlester docket of said court, it is hereby ordered that the application of Vicey J. Miller for enrollment as a citizen by intermarriage of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Chairman.

Muskogee, Indian Territory,

MAY 13 1904

Choctaw 5263

COPY.

Muskogee, Indian Territory, May 13, 1904.

Vicey J. Miller,

Vireton, Indian Territory,

Dear Madam:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated May 13, 1904, dismissing your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

Respectfully,

(SIGNED)

Tams Bixby.

Chairman.

Registered.

Incl. 7-5263.

Choctaw 5263.

COPY.

Muskogee, Indian Territory, May 13, 1904.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the order of this Commission, dated May 13, 1904, dismissing the application of Vicey J. Miller for enrollment as a citizen by intermarriage of the Choctaw Nation.

Respectfully,

(SIGNED)

Tams Bixby.

Chairman.

Incl. 7-5263.

MEMORANDA.

(Date) sept 8 1898.

Name .....

Choctaw? ..... County ..... Year ..... No. .....

Chickasaw? ..... County ..... Year ..... Page .....

Citizen by blood? ..... Mother's citizenship .....

Intermarried citizen? .....

Married under what law? .....

nc 21 License filed this day, ...

Wife's name, Vinay J Miller

Choctaw? yes County ..... Year ..... No. .....

Chickasaw? ..... County ..... Year ..... Page .....

Citizen by blood? ..... Mother's citizenship US

Intermarried citizen? yes

~~Married under what law?~~ Father

License filed this day .....

Names of children:

8 mos Fenner M Miller County ..... Year ..... Page ..... No. .....

..... County ..... Year ..... Page ..... No. .....

..... County ..... Year ..... Page ..... No. .....

..... County ..... Year ..... Page ..... No. .....

..... County ..... Year ..... Page ..... No. .....

..... County ..... Year ..... Page ..... No. .....

..... County ..... Year ..... Page ..... No. .....

..... County ..... Year ..... Page ..... No. .....

..... County ..... Year ..... Page ..... No. .....

..... County ..... Year ..... Page ..... No. .....

Pet. nc # 508 - with husband mother - A. Miller - Order test. ....

D 508

5763

Choctaw Court Card a. 368

[illegible] application of William Miller.

[illegible] Kennon.

William Miller says:

I have been living in the Nation about 16 years. I came from Texas. I am brother of Thomas Miller.

William Miller [illegible] Court. Oct. 12 1898.

enrolled.

Choc 5264 A.J. Crowson

No 2 Dismissed May 17, 1904

See also Choctaw R-590

See also Choctaw R-90

See also Petition #C-77

5264

(COPY)

CHOCTAW COURT CARD C 309

In Re Application of A. J. Crowson and others.

Sworn by Commissioner McKennon.

A. J. Crowson says:

Andrew J. was born February 23d 1898 and is not in decree. I have been living here continuously since 1886. My mother was 1/4 Choctaw. My father was a white man. My mother lived in the Territory before the war. I do not know whether or not she was a recognized citizen. Her name was Sallie Anderson. She married Jim Lawrence, and went north. My father married her in Arkansas. She never came back here after I was born. I came to th Territory from Texas. I first came here before the war and went to Texas and came from there here.

Colbert, Oct. 12, 1898.

A.J.Crowson
Andrew J. Crowson

enrolled.

(MH)

Commission to Five Civilized Tribes,

Muskogee, Indian Territory,

In the enrollment of the applicants for citizenship in the Choctaw Nation, being sworn and examined by the Commission he testified:

Q You were admitted by the United States Court at South McAlester August 27th, 1897, in case 474, as a Choctaw by blood or intermarriage? A By Blood.

Q You have some children that are not embraced in the judgment?

A Yes sir.

Q What is the name of the oldest? A Emma Lee, aged 27 years.

Emma Lee being sworn and examined in her own behalf testifies as follows:

Q What is your name? A Emma Lee.

Q How old are you? A 27.

Q Are you married? A Yes sir.

Q What is your husband's name? A Ike Lee.

Q Where were you married to him? A In Texas.

Q When? A In 1888.

Q Were you born and raised in Texas? A No sir.

Q Where were you born? A In Arkansas.

Q You went from Arkansas to Texas? A Yes sir.

Q When? A It has been about thirteen years ago.

Q You have been living in Texas up to what time? A I lived in Texas two years and then I went to the Territory.

Q How long did you stay in the Territory? A I have been living in the Territory eleven years.

Q All the while? A No sir.

Q You came into the Territory; how long before you went away?

A Three years.

Q [illegible]

[illegible]

Q [illegible] A [illegible] years I think.

Q What did you do[illegible] A I have been [illegible] for Them.

Q Then how long did you stay in the Territory[illegible] here four years ago? A I have been living in the Territory ever since.

Q Then you have been living here continuously four years?

A Yes sir.

Q How is it you married your husband in Texas? A He got his license in Texas and we went there to get married.

Q What year was that? A It was in 1898.

Q You are not on the rolls in the Choctaw Nation? A No sir

Q You never have been? A No sir.

Q Your father was admitted to citizenship here by the United States Court at South McAlester August 27th 1897; what are the names of your children? A I have one, Mary J. Lee, five years old.

Q She was born in Texas? A Yes sir in Denison, Texas.

Com'r McKennon: As you are not on the rolls of the Territory, the commission has no authority to put you on, and the enrollment of yourself and child will be refused.

Department of the Interior,
Commission to the Five Civilized Tribes.

I hereby certify that I am [illegible] official oath as Stenographer [illegible] and Commission, and that the foregoing is a true, full and correct transcription of my stenographic notes.

[illegible]

Commission to the Five Civilized Tribes,

Durant, Indian Territory,

In the enrollment of Margaret Sorrell and children as Choctaws by blood sworn and examined by Com'r McKennon the applicant

Q What is your name? A Margaret Sorrell.

Q How old are you? A Twenty-four.

Q Have you a husband? A Yes sir.

Q What is his name? A Sterling Sorrell.

Q Where were you married to him? A In Texas.

Q When? A In 1887.

Q Is he still living? A Yes sir.

Q Where have you been living? A I have been living in the Nation all the time, except one year; I have been living here about twelve years; In 1891 I went to the Plains, and came back in 1892, and have been in the Nation ever since.

Q Haven't lived anywhere else? A No sir.

Q You are not on the rolls in the Choctaw Nation? A No sir.

Q Have you ever been? A No sir.

Q Are you a daughter of A. J. Crowson? A Yes sir

Q What children have you? A I have two children.

Q What is the oldest one's name? A Addie E. Sorrell, five years old; Monroe F. Sorrell, aged 17 months.

Com'r McKennon: As you are not on the rolls the commission has no authority to enroll you, and the enrollment of yourself and children will be refused.

Department of the Interior,
Commission to the Five Civilized Tribes.

I hereby certify, under my official oath as stenographer to the above named Commission, that this transcription is a full and correct translation of my shorthand notes.

M. L. Bowles

(COPY)

Commission to the Five Civilized Tribes,

Durant, Indian Territory.

In the enrollment of John A. Crowson as a Choctaw: being sworn and examined by Com'r McKennon he testifies as follows:

Q What is your name? A John A. Crowson.

Q How old are you? A Twenty-two.

Q Where have you been living? A I have been living in the Nation.

Q How long? A Nine years.

Q You came here nine years ago? A Yes sir.

Q Where did you live before that time? A In Texas and Arkansas.

Q How long did you live in Arkansas? You were born in A rkansas? A Yes sir.

Q When did you leave there and go to Texas? A I was nine years old when I left Arkansas and went to Texas.

Q How long did you live in Texas? A Three yeaas.

Q Where di you go to then? A I went to the Nation.

Q How long did you stay in the Nation then? A I have been living in the Nation nine years.

Q All the while? A Yes sir.

Q Have you ever been on the Choctaw rolls? A No sir.

Q Never have been? A No sir.

- - - -

Com'r McKennon: As you are not upon the Choctaw rolls the Commission has no authority to enroll you ~~m~~ and your enrollment will be refused.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FVE CIVILIZED TRIBES.

I hereby certify upon my official oath as stenographer to above named Commission, that this transcript is a true, full and correct translation of my stenographic notes.

(Signed) M. D. Green.

MH

Commission to the Five Civilized Tribes,

Durant, Indian Territory.

In the enrollment of Virginia Thurman as a Choctaw, being sworn and examined by Com'r McKennon who testifies as follows:

Q What is your name? A Virginia Thurman.

Q How old are you? A Nineteen.

Q Are you married? A Yes Sir.

Q What is your husband's name? A Jess Thurman.

Q Where were you married to him? A In Sherman, Texas.

Q When? A In 1897.

Q Where have you been living? A In the Nation.

Q How long? A All my life pretty near.

Q In the Choctaw Nation? A Yes Sir.

Q You have been living in the Choctaw Nation all your life?

A In the Chickasaw Nation.

Q All your life? A No, I was small when I come here.

Q How old were you when you came to the Nation? A I don't know how old I was.

Q You have been living here all the while and never have been enrolled? A No sir.

Q Either as a Chickasaw or a Choctaw? A No sir.

Q Have you any children? A No sir.

Com'r McKennon: As you are not on the Choctaw rolls the Commission has no jurisdiction to enroll you, and your enrollment will be refused.

Department of the Interior,
Commission to the Five Civilized Tribes.

I hereby certify, upon my official oath as Stenographer to the Commission, that this transcript is a full and correct translation of my stenographic notes.

M. D. Bowen

7-1219.

Department of the Interior,
Commission to the Five Civilized Tribes,
Calbert, I.T., June 14, 1900.

In the matter of the application of A. J. Crowson for the enrollment of Pollie Belle Crowson and Mary Anderson Crowson as Cheetaws by blood; Reuben

A. J. Crowson, being sworn and examined by Acting Chairman Bixby, testified as follows:

Q - What is your name? A - A. J. Crowson.
Q - How old are you? A - I don't know exactly my age, I guess about 55.
Q - What is your post office address? A - Woodville, I.T.
Q - How long have you been living at Woodville? A - I have lived in that neighborhood 7 years.
Q - When you say you have lived in the Indian Territory, in the neighborhood of Woodville, do you mean in the Indian Territory or Texas? A - I mean I have lived here 12 years this last May or March.
Q - Have you been living for the past 12 years in the Indian Territory? A - I have never moved my family for the last 12 years.
Q - Where have you been? A - I have been to Texas sometimes.
Q - How much of the past 3 years have you lived in the Territory? A - I have made it my home all the time.
Q - How long have you lived in the Territory during the past three years; how much of the past three years hve you lived in the Territory? A - Part of the time I have been attending the session of the Paris Court.
Q - What were you doing at the Paris Court? A - I was at the Paris Court as a witness for the Government in a murder case.
Q - Have you been living in Texas part of the time during the past three years? A - No, sir, no more than on a visit or or business.
Q - Where did you live before you came to the Territory? A - I was born in Arkansas.
Q - How long did you live there? A - I can't answer you properly, I came to Texas, and my father was killed, and I came in 1861 back to the Cheetaw Nation and I abided there until 1863, and I went in the Confederate Army in Texas, and came back here, and I have been back in the Territory for the last 12 years.
Q - You are making application for Pollie Belle Crowson and Reuben Anderson Crowson, how old is Pollie Belle? A - 6 years old.
Q - Do you remember the date of her birth? A - No, sir, her mother does, she is here.

Mary Elizabeth Crowson, being sworn and examined by Acting Chairman Bixby, testified as follows.
Q - What is your name? A - Mary Elizabeth Crowson.
Q - What is your age? A - 29.
Q - Do you live in the Indian Territory? A - Yes, sir.
Q - Are you the mother of Pollie Belle Crowson? A - Yes, sir.
Q - Do you remember the exact date of her birth? A - Yes, sir.
Q - When was it? A - It will be 6 years ago the 19th of December, 1899.
Q - You are the mother of Reuben A. Crowson? A - Yes, sir.
Q - When was he born? A - He was 4 years old the 12th of September, 1899.

A. J. Crowson, recalled, testified:
Q - You were admitted to citizenship in the Cheetaw Nation by virtue of a judgment of the United States Court for the Central District in the Indian Territory handed down on August 27, 1897, Court Case No. 74, were you? A - Yes, sir.

A. J. Crowson - 2.

(Copy of the original judgment reads as follows: "It is ordered and adjudged that the name of the said A. J. Crowson be enrolled by the Commission to the Five Civilized Tribes as a member by blood of the Choctaw Tribe of Indians."

In the case of A. J. Crowson against the Choctaw Nation, No. 74, 1896 Citizenship Docket 6, page 320, Choctaw Case No. 718, A.J.Crowson et al. vs. the Choctaw Nation. Original application filed September 8, 1896. Answer of the Choctaw Nation filed. Application was denied by the Commission December 3, 1896. Appealed to the United States Court for the Central District of the Indian Territory and on appeal the judgment of the Commission was reversed as to A. J. Crowson, the only person admitted by the judgment.)

Q - Do you remember, Mr. Crowson, whether the names of Pollie Belle Crowson and Reuben Anderson Crowson were in the oiriginal application which you made to the Dawes Commission in 1896?

A - I Put them in once in 1896, but I don't remember whether or not positive, but when the appeal to the District Court the Notary Public would not reference any of my children or grandchildren when I went before them and said they were not a party, and he would not send them up with me and when I appealed and went up to the Courts and the children with me , and they claimed that they wasn't a party, and they was rejected there in regard to them, and I was the only one enrolled of the party there under that decision, as they wasn't represented in the beginning with me and sent up.

Q - Then the Commission is to understand, is it, that the names of these children were not in the oiiginal application that you made to the Dawes Commission? A - No, sir, they wasn't for the party wouldn't make it out.

Q - They were interpolated after the judgment was rendered by the Dawes Commission and presented to the Unitdd States Court?

A - Yes, sir, they was sent up in the application with me, and the Choctaws refused, as they wasn't a party to the case and the Honorable Court said he couldn't do with them, but left the decision to be acted on.

Q - Did you ever apply to the Choctaw Tribal authorities for enrollment? A - Yes, sir.

Q - What action did the Tribal authorities take? A - At Tushkahoma at the time when I went before the Choctaw Commission there, and they were working on the rolls, and I went there a time or two afterwards and either they put us so in future waiting I returned, and my wife died and one of my children got killed and I never applied again, I was kept in the Court, and I then applied -

Q - Tell us about what the Tribal authorities did in your case at Tushkahoma, did they admit or reject you? A - No, sir, they didn't reject me that I know of.

Q - Did they admit you? You never did get admitted by the Tribal authorities? A - No, sir, I never did, not there.

Q - What year was that? A - I disremember the year.

Q - It was before you applied to the Dawes Commission?

A - Yes, sir.

Q - Is there any additional statement you would like to make at this time in regard to your children? A - Not that I know of

The enrollment of your children is refused for the reason that their names do not appear upon the Tribal rolls of the Choctaw Nation now in the possession of this Commiddion, and for the further reason that it appears from the testimony in this case and from the records that they were not admitted to citizenship in the Choctaw Nation by the Commission to the Dive Civilized Tribes acting under the law of June 10, 1896, or by a judgment of the United States Court in the Indian Territory.

The testimony in this case will be transmitted to the Honorable Secretary of the Interior for his consideration when the rolls of the citizens of the Choctaw Nation are sent to him for final approval.



C O P Y 7-R-590

UNITED STATE OF AMERICA
CENTRAL DISTRICT.
INDIAN TERRITORY.

DEPARTMENT OF THE INTERIOR.

BEFORE THE HONORABLE DAWES COMMISSION TO THE FIVE CIVILIZED TRIBES:

In the matterof the application of A. J. Crowson, for the enrollment of his minor children whose names are as follows: Polly Bell Crowson 6 years old and Ruben A. Crowson 4 years old. A. J. Crowson was married to Elizabeth Crowson in 1892 or about that time, and the above named children are the lawful descendants of said A. J. Crowson, who is a Choctaw Indian and on the Choctaw Rolls, as the copy of the judgment hereto attached will show. Said Judgemtn was rendered by the Hon. Wm. H. H. Clayton, District Judge of the United States Court of the Central District, at South McAlester, Indian Territory. Petitioner prays that this application be heard by your honorable body with the evidence here to attached, and the above named children be identified and enrolled on the Choctaw roll as Indians by blood, to have and enjoy all the rights, privaleges and immunities that may be accrued to any Choctaw Indian.

(Signed) A. J. Crowson.

Subscribed and swron to before me
this the 9th day of June, 1900.

(Signed) L. D. Horton.
Notary Public for the I. T.

(Seal).

Attested:
O. S. Benson.
Charley Frazier.

D60

7-890.-R

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

COPY.

In the matter of the application for the enrollment of Polly Bell Crowson and Reuben A. Crowson as citizens by blood of the Choctaw Nation.

The applicants, Polly Bell Crowson and Reuben A. Crowson, claim their right to enrollment as citizens by blood of the Choctaw Nation through their father A. J. Crowson. The right of the applicants' father, A. J. Crowson, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, March 21, 1904, in case No. 24, upon the South McAlester docket of said court, it is hereby ordered that the application of Polly Bell Crowson and Reuben A. Crowson for enrollment as citizens by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

(SIGNED)

Tams Bixby.

Chairman.

Muskogee, Indian Territory,

MAY 27 1904

Choctaw 5264

Muskogee, Indian Territory, June 7, 1904.

A. J. Crowson,

Woodville, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated May 27, 1904, dismissing the application for enrollment as a citizen by blood of the Choctaw Nation of Andrew J. Crowson, Jr.

Respectfully,

Chairman.

Registered.

Incl. 7-5264

Choctaw 5264

Muskogee, Indian Territory, June 7, 1904.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated May 27, 1904, dismissing the application for enrollment as a citizen by blood of the Choctaw Nation of Andrew J. Crowson, Jr.

Respectfully,

Chairman.

Registered.

Incl. 7-5264

(See Choctaw 5334 for registry receipt for this letter.)

7- R- 590

Muskogee, Indian Territory, June 8, 1904.

A. J. Crowson,

Woodville, Indian Territory.

Dear Sir:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated May 27, 1904, dismissing the application for enrollment as citizens by blood of the Choctaw Nation of Polly Bell Crowson and Reuben A. Crowson.

Respectfully

Chairman.

Registered.

Incl. 7-D-590

7-R-590

Muskogee, Indian Territory, June 8, 1904.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Inclosed herewith you will find a copy of the order of the Commission to the Five Civilized Tribes, dated May 27, 1904, dismissing the application for enrollment as citizens by blood of the Choctaw Nation of Polly Bell Crowson and Reuben A. Crowson.

Respectfully,

Chairman.

Registered.

Incl. 7-R-590.

See Choctaw R-650 for Registry receipt for this letter.

Commission to the Five Civilized Tribes,

Durant, Indian Territory.

In the application of A.J.Crowson for the enrollment of his children as Choctaws; being sworn and examined by Com'r McKennon he testifies as follows:

Q What is your name? A A. J. Crowson.

Q How old are you? A Fifty-three.

Q How many children have you,- small children?

A I have two that aint enrolled, by my second wife.

Q What is the oldest one's name? A Polly B.

Q How old is she? A Five years old.

Q What day was she born, and what year? A I cannot answer that question.

Mary E. Crowson being sworn and examined testifies:

Q What is your name? A Mary E. Crowson.

Q How old are you? A Thirty-seven.

Q Are you the wife of A. J. Crowson? A Yes sir.

Q What is the name of your oldest child by him? A Polly B.

Q How old is she? A Five years old.

Q What is the date of her birth? A Last December she was five years old.

Q She was born December what day? A She was born December 19th, 1893.

Q What is the next one's name? A Reuben A.

Q When was he born? A 12th of September; He will be four years old next September; he was born in 1896.

Q What is the next one's name? A Andrew J .

Q What day was he born on? A 23rd of February.

Q What year? A He will be two years old next February.

children of A.J.Crowson #8)

Q Then it was February 23rd, 1898? A Yes sir

Com'r McKennon: Andrew J. will be enrolled, he having been born since the date of the judgment; the other two, Polly B. and Reuben A., having been born prior to the date of the judgment, will not be enrolled.

Q You were married to him in 1892 were you? A Yes sir.

Department of the Interior,
Commission to the Five Civilized Tribes.

I hereby certify, upon my official oath as stenographer to above named Commission, that this transcript is a true, full and correct translation of my stenographic notes.

M. L. Allen

1560

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

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COPY.

In the matter of the application for the enrollment of Andrew J. Crowson, Jr., as a citizen by blood of the Choctaw Nation.

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The applicant, Andrew J. Crowson, Jr., claims his right to enrollment as a citizen by blood of the Choctaw Nation through his father A. J. Crowson. The right of the applicant's father, A. J. Crowson, to citizenship in the Choctaw Nation having been adversely determined by a decree of the Choctaw and Chickasaw Citizenship Court, March 21, 1904, in case No. 24, upon the South McAlester docket of said court, it is hereby ordered that the application of Andrew J. Crowson, Jr., for enrollment as a citizen by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

(SIGNED)

Tams Bixby,

Chairman.

Muskogee, Indian Territory,

MAY 27 1904.

(COPY)

In the matter of the application of A. J. Crowson and others for enrollment as Choctaw Indians. To The Hon. Tams Bixby, Commissioner to the Five Civilized Tribes: The undersigned, your petitioners A. J. Crowson, Emmer Lea, Missouri Gorrell, John A. Crowson, Jennie Thurman, Delores Lee, Pollie Belle Crowson, Ruban A. Crowson, Andrew J. Crowson, Jr., Mary Ellen Crowson, would respectfully represent that they are applicants for enrollment as citizens by blood of the Choctaw Nation, and in support of their right to be enrolled as such would respectfully submit the following facts:

First - That applicant, A. J. Crowson, who is the father of the other applicants herein before mentioned, states that he possesses one-eighth Choctaw blood and traces his decent as follows: That he is the son of John and Sallie Crowson, born of Sallie Anderson, and that he was born to John and Sallie Crowson in lawful wedlo that his mother, the said Sallie Crowson, was the daughter of one James Anderson, who was the son of David Anderson, who was the husband of a full blood Choctaw Indian, whose name these applicants are now unable to remember, but they state that her name appears upon the first and second enrollment of the Choctaw Indians. That the children born to the said David Anderson and wife are five sons, by name, John, Samuel, James, Davis and Rubin, all of whom appear on the Choctaw records. James Anderson as has been stated was the grand father of this applicant, A. J. Crowson, whose mother was Sallie Anderson, as has also been shown. The said Sallie Anderson, was twice married the first time to a man by the name of Lawrence, who was a citizen by blood of the Choctaw Nation. That afterward on or about the year 1841 she married John Crowson, in Yell Co., Ark by whom she had two children a Girl and a boy. The girl died in infancy and the boy is the present applicant, A. J. Crowson.

Second --Applicant states that the said A. J. Crowson came to the Indian Territory in the year 1861 intending to make it his home, but in about two years afterward when visiting his brother in Texas he was drafted into the service and went into the war as a confederate soldier. In 1890 applicant, A. J. Crowson returned to the Indian Territory and located in the Chickasaw Nation near to the present town of Woodville where he worked and cultivated a farm. Applicant, A. J. Crowson states that he was recognized as an Indian by the authorities of the Choctaw Nation to the extent that he was never required to pay a permit and in 1890 he was expressly recognized as a citizen of the said nation by Charley Colbert, who is an Indian, and was in that year sensus enumerator for the Choctaw Nation. Colbert came to the field where applicant A. J. Crowson was working, and obtained the usual information required in such matters which was forwarded to the Secretary of the Interior.

Third Applicant states that A. J. Crowson, one of the applicants herein, filed his application on the 25th day of August, 1896, prey ing that he be enrolled as a Choctaw Indian. That the appicant petition was denied by the Commission for the reason that the matter was not fully and fairly presented at that time and that the said Commission was not fully advised in regard to the facts upon which he based his claim. And that if they had been so advised he would, in their opinion,been unquestionable been enrolled. That from the judgement denieing him the right to enrollment, the said A. J. Crowson, on the 28th day of January 1897 appealed to the U. S. Court, for the Central District of the Indian Territory, at So. McAlester, which court after having been fully advised in the premises rendered a decre in his favor and directed him to be enrolled as a citizen by blood of the Choctaw Nation. On the 15th day of March, 1903, said cause was transferred to the citizenship court at So. McAlester, which court reversed the findings of the U. S. Court,

for the Central District of the Indian Territory and applicant was again denied the right to be enrolled as such citizen.

Applicant would further state that there has been born to Emma Lea four children whose names are as follows:
Mary J., Fohn Felix, James W. and Sterling Price.
To Missouri Gorrell Four children, whose names are as following:
Addie S., Monroe Price, Silas F. and Mildred J.
Jennie Thurman, three children, whose names are as following:
George W., Minnie M and General J.
Delores Lee four children whose names are as following:
Sterling A, Plesant E, Annie May.

Wherefore premises considered applicants herein prey that their petition to be enrolled as citizens of the Choctaw Nation be received by the Commissioner to the Five CivilizedTribes and that the same be docketed and that the same be set down for hearing and that upon such hearing if the statements contained in this petition is established to the satisfaction of said Commission of the Five Civilized Tribes that they and each of them with their children, be enrolled as citizens by blood of the Choctaw Nation.

His
A. J. X Crowson,
Mark.

Witness to Mark

RobbCrockett.

United States of America,
Southern District of the Indian Territory.

Before me, the undersigned authority, personally appeared A. J. Crowson, one of the parties whose name is mentioned in the foregoing petition who made oath that the statements made therein are true as he verily believed. This 7th day of February, 1906.

(Signed) D. R. Johnston,
Notary Public within the above named Dis

Commission expires March 17th 1907.
(SEAL)

MH

C-77
7-R- 60
7-R- 90
7-R-165
7-R-303
7-R-590
7-5264

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of A. J. CROWSON, et al, as citizens of the Choctaw Nation.

D E C I S I O N .

It appears from the records in the possession of the Commissioner to the Five Civilized Tribes that application was made at Colbert, Indian Territory, October 12, 1898, by A. J. Crowson for the enrollment of himself and Andrew J. Crowson as citizens by blood of the Choctaw Nation; that application was made by A. J. Crowson at Durant, Indian Territory, during the month of August, 1899, for the enrollment of Emma Lee and her minor child, Mary J. Lee, as citizens by blood of the Choctaw Nation; that application was made by Missouri Gorrell, at Durant, Indian Territory, during the month of August, 1899, for the enrollment of herself and her minor children, Addie S. Gorrell and Monroe P. Gorrell as citizens by blood of the Choctaw Nation; that application was made at Durant, Indian Territory, during the month of August, 1899, by John A. Crowson for the enrollment of himself as a citizen by blood of the Choctaw Nation; that application was made during the month of August, 1899, at Durant, Indian Territory, by Virginia Thurman for the enrollment of herself as a citizen by blood of the Choctaw Nation; that application was made by A. J. Crowson at Colbert, Indian Territory, on June 14, 1900, for the enrollment of his minor children, Polly Bell Crowson and Reuben A. Crowson as citizens by blood of the Choctaw Nation.

It further appears from the records in the possession of the Commissioner to the Five Civilized Tribes that application was made to the Commission to the Five Civilized Tribes at Colbert, Indian Territory, June 13, 1900, for the identification of Missouri Gorrell and her two minor children, Addie Susan Gorrell and Monroe Price Gorrell, and Delorius Lee and her minor child, Sterling Andrew Lee as Mississippi Choctaws; that on June 14, 1900, application was made to the Commission to the Five Civilized Tribes at Colbert, Indian Territory, for the identification of John E. Crowson as a Mississippi Choctaw; that on June 15, 1900, application was made to the Commission to the Five Civilized Tribes at Colbert, Indian Territory, for the identification of Emma Lee and her minor child, Mary Josephine Lee, Jennie Thurman and her minor child, George Washington Thurman, as Mississippi Choctaws.

It further appears from the records in the possession of the Commissioner to the Five Civilized Tribes that the applicant, A. J. Crowson, made application to the Commission to the Five Civilized Tribes on September 9, 1896, for the admission of himself to citizenship in the Choctaw Nation under the provisions of the Act of Congress approved June 10, 1896 (29 Stats., 321) (1896 Choctaw Citizenship case No. 719); that on December 3, 1896, the Commission denied said application; that from this decision the applicant appealed to the United States Court for the Central District of

Indian Territory on behalf of himself, also naming in said appeal the names of his children and grand-children; on August 27, 1897, said Court rendered a judgment wherein it was adjudged "that the said A. J. Crowson is a Choctaw Indian by blood and entitled to enrollment as a member of the Choctaw tribe of Indians and decrees that his name be enrolled by the Commission to the Five Civilized Tribes as a member by blood of the Choctaw tribe of Indians". This judgment was subsequently vacated, set aside and held for naught by the decree of the Choctaw-Chickasaw Citizenship Court on December 17, 1902, in the contest case entitled "Choctaw and Chickasaw Nations or Tribes vs. J. T. Riddle, et al". Subsequent thereto, this cause was certified to the Choctaw-Chickasaw Citizenship Court created under the Act of Congress approved July 1, 1902 (32 Stats., 641) for a trial de novo and on March 21, 1904, said citizenship court rendered a decree in the case of A. J. Crowson, et al, vs. Choctaw and Chickasaw Nations wherein it was ordered "adjudged and decreed that the petition of the plaintiff, A. J. Crowson, be denied and that he be declared not a citizen of the Choctaw Nation and not entitled to enrollment as such and not entitled to any rights whatever flowing therefrom, and as to the petitioners, Emma Lee, Missouri Gorrell, John E. Crowson, Jennie Alice Thurman, Doloreus Lee, Polly Belle Crowson, Reuben A. Crowson, Elizabeth Crowson, Andrew Jackson Crowson and Mary Ellen Crowson, the Court having no jurisdiction, their petition is dismissed".

On March 3, 1902, the Commission to the Five Civilized Tribes denied the applications for the identification of Emma Lee, Mary Josephine Lee, Jennie Thurman, George Washington Thurman, Missouri Gorrell, Addie Susan Gorrell, Monroe Price Gorrell, John E. Crowson, Delorius Lee and Sterling Andrew Lee as Mississippi Choctaws.

On May 27, 1904, the Commission to the Five Civilized Tribes dismissed the application for the enrollment of Andrew J. Crowson, Jr., Polly Bell Crowson and Reuben A. Crowson as citizens by blood of the Choctaw Nation for the reason that said A. J. Crowson had been denied citizenship by the Choctaw and Chickasaw Citizenship Court.

On February 14, 1906, there was filed with the Commissioner to the Five Civilized Tribes by A. J. Crowson a petition praying for the enrollment of himself, Emmer Lea and her children, Mary J. Lee, John Felix Lee, James W. Lee and Sterling Price Lee, Missouri Gorrell and her children, Addie S. Gorrell, Monroe Price Gorrell, Silas F. Gorrell and Mildred J. Gorrell, John A. Crowson, Jennie Thurman and her children, George W. Thurman, Minnie M. Thurman and General J. Thurman, Delores Lee and her children, Sterling A. Lee, Pleasant E. Lee and Annie May Lee, Pollie Belle Crowson, Ruban A. Crowson, Andrew J. Crowson, Jr. and Mary Ellen Crowson as citizens by blood of the Choctaw Nation.

The petitioners, A. J. Crowson, Andrew J. Crowson, Jr., Pollie Belle Crowson, Ruban A. Crowson, Missouri Gorrell, Addie S. Gorrell, Monroe Price Gorrell, Emmer Lea, Mary J. Lee, John A. Crowson and Jennie Thurman are identical with the persons for whose enrollment as citizens by blood of the Choctaw Nation applications were made to the Commission to the Five Civilized Tribes in 1899 and 1900 respectively.

It does not appear that any application was ever made for the enrollment of the petitioners, Delores Lee, Mary Ellen Crowson, John Felix Lee, James W. Lee, Sterling Price Lee, Silas F. Gorrell, Mildred J. Gorrell, George W. Thurman, Minnie M. Thurman, General J. Thurman, Sterling A. Lee, Pleasant E. Lee and Annie May Lee as citizens by blood of the Choctaw Nation prior to December 1, 1905.

It is alleged in the petition filed February 14, 1906,

that the petitioner, A. J. Crowson, possesses one-eighth Choctaw blood, is the son of Sallie Crowson who was the daughter of James Anderson who was the son of David Anderson who was the husband of a full blood Choctaw Indian whose name the petitioner does not now remember, but whose name it is alleged appears upon the first and second enrollment of the Choctaw Indians; that the other petitioners are descendants of said A. J. Crowson. It does not appear from the record herein or from the records in the possession of the Commissioner to the Five Civilized Tribes that any of the petitioners were ever recognized by the tribal authorities of the Choctaw Nation as citizens by blood of said tribe; their names do not appear upon any of the tribal rolls of the Choctaw Nation in the possession of this office.

I am, therefore, of the opinion that inasmuch as it does not appear that the applicant, A. J. Crowson, has at any time possessed such a status as would entitle him to enrollment as a citizen by blood of the Choctaw Nation, the decision of the Choctaw-Chickasaw Citizenship Court of March 21, 1904, denying his application for admission to citizenship in the Choctaw Nation is final and that application for his enrollment as a citizen by blood of the Choctaw Nation and the petition filed February 14, 1906, in so far as same applies to said A. J. Crowson should be denied under the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641) and it is so ordered.

I am further of the opinion that the application for the enrollment of Missouri Gorrell, Addie S. Gorrell, Monroe P. Gorrell, Emma Lee, Mary J. Lee, John A. Crowson and Virginia Thurman as citizens by blood of the Choctaw Nation and the petition filed February 14, 1906, in so far as same applies to said applicants, should be denied under the provisions of the Acts of Congress approved June 28, 1898 (30 Stats., 495) and July 1, 1902 (32 Stats., 641) and it is so ordered.

I am further of the opinion that the petition filed February 14, 1906, in so far as same applies to the petitioners Delores Lee and Mary Ellen Crowson, for whose enrollment as citizens by blood of the Choctaw Nation no application was made prior to December 1, 1905, should be dismissed, and it is so ordered.

I am further of the opinion the the petition filed February 14, 1906, in so far as same applies to the petitioners, Pollie Belle Crowson, Reuben A. Crowson and Andrew J. Crowson, Jr. should be denied under the provisions of the Acts of Congress approved June 28, 1898 (30 Stats., 495) and July 1, 1902 (32 Stats., 641), and it is so ordered.

I am further of the opinion that the petition filed February 14, 1906, in so far as same applies to the petitioners, John Felix Lee, James W. Lee, Sterling Price Lee, Silas F. Gorrell, Mildred J. Gorrell, George W. Thurman, Minnie M. Thurman, General J. Thurman, Sterling A. Lee, Pleasant E. Lee and Annie May Lee should be considered as an application for the enrollment of said petitioners as citizens by blood of the Choctaw Nation under the provisions of the Act of Congress approved April 26, 1906 (34 Stats., 137); that said application should be denied and it is so ordered.

Commissioner.

Muskogee, Indian Territory,
JAN 25 1907

C-77

Muskogee, Indian Territory, January 25, 1907.

A. J. Crowson,

Woodville, Indian Territory.

Dear Sir:

I inclose herewith a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered January 25, 1907, denying the application and petition for the enrollment of yourself, Missouri Gorrell, Addie S. Gorrell, Monroe P. Gorrell, Emma Lee, Mary J. Lee, John A. Crowson, Virginia Thurman, John Felix Lee, James W. Lee, Sterling Price Lee, Silas F. Gorrell, Mildred J. Gorrell, George W. Thurman, Minnie M. Thurman, General J. Thurman, Sterling A. Lee, Pleasant R. Lee and Annie May Lee, denying the petition for the enrollment of Pollie Belle Crowson, Reuben A. Crowson and Andrew J. Crowson Jr., and dismissing the petition for the enrollment of Delores Lee and Mary Ellen Crowson as citizens by blood of the Choctaw Nation.

The decision, with the proceedings in the case is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED Tams Bixby

Commissioner.

Registered.
C-77.

C-77

Muskogee, Indian Territory, January 25, 1907.

John A. Crowson,

Woodville, Indian Territory.

Dear Sir:

I inclose herewith a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered January 25, 1907, denying the application and petition for your enrollment as a citizen by blood of the Choctaw Nation.

The decision, with the proceedings in the case is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED Tams Bixby

Commissioner.

Registered.
C-77.

C-77

Muskogee, Indian Territory, January 25, 1907.

Missouri Gorrell,

Cliff, Indian Territory.

Dear Madam:

I inclose herewith a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered January 25, 1907, denying the application and petition for the enrollment of yourself, Addie S. Gorrell, Monroe P. Gorrell, Silas F. Gorrell and Mildred J. Gorrell as citizens by blood of the Choctaw Nation.

The decision, with the proceedings in the case is this day trnasmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Tams Bixby

Commissioner.

Registered.
C-77.

C-77

Muskogee, Indian Territory, January 25, 1907.

Virginia Thurman,

Cliff, Indian Territory.

Dear Madam:

I inclose herewith a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered January 25, 1907, denying the application and petition for the enrollment of yourself, George W. Thurman, Minnie M. Thurman and General J. Thurman as citizens by blood of the Choctaw Nation.

The decision, with the proceedings in the case is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED Tams Bixby

Commissioner.

Registered.
C-77.

C-77

Muskogee, Indian Territory, January 25, 1907.

Emma Lee,

Cliff, Indian Territory.

Dear Madam:

I inclose herewith a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered January 25, 1907, denying the application and petition for the enrollment of yourself, Mary J. Lee, John Felix Lee, James W. Lee and Sterling Price Lee as citizens by blood of the Choctaw Nation.

The decision, with the proceddings in the case is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED Tams Bixby

Commissioner.

Registered.
C-77.

C-77

Muskogee, Indian Territory, January 25, 1907.

Delores Lee,

Cliff, Indian Territory.

Dear Madam:

I inclose herewith a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered January 25, 1907, dismissing the petition for your enrollment as a citizen by blood of the Choctaw Nation and denying the application and petition for the enrollment of Sterling A. Lee, Pleasant E. Lee and Annie May Lee as citizens by blood of said nation.

The decision, with the proceedings in the case is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED Tams Bixby

Commissioner.

Registered.
C-77

C-77

Muskogee, Indian Territory, January 25, 1907.

Robert Crockett,

Attorney at Law,

Durant, Indian Territory.

Dear Sir:

I inclose herewith a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered January 25, 1907, denying the application and petition for the enrollment of A. J. Crowson, Missouri Gorrell, Addie S. Gorrell, Monroe P. Gorrell, Emma Lee, Mary J. Lee, John A. Crowson, Virginia Thurman, John Felix Lee, James W. Lee, Sterling Price Lee, Silas F. Gorrell, Mildred J. Gorrell, George W. Thurman, Minnie M. Thurman, General J. Thurman, Sterling A. Lee, Pleasant E. Lee and Annie May Lee, denying the petition for the enrollment of Pollie Belle Crowson, Reuben A. Crowson, and Andrew J. Crowson Jr., and dismissing the petition for the enrollment of Delores Lee and Mary Ellen Crowson as citizens by blood of the Choctaw Nation.

The decision, with the proceedings in the case is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED

Commissioner.

Registered.
C-77.

C-77

Muskogee, Indian Territory, January 25, 1907.

Mansfield, McMurray & Cornish,
Attorneys for Choctaw and Chickasaw Nations,
South McAlester, Indian Territory.

Gentlemen:

I inclose herewith a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered January 25, 1907, denying the application and petition for the enrollment of A. J. Crowson, Missouri Gorrell, Addie S. Gorrell, Monroe P. Gorrell, Emma Lee, Mary J. Lee, John A. Crowson, Virginia Thurman, John Felix Lee, James W. Lee, Sterling Price Lee, Silas F. Gorrell, Mildred J. Gorrell, George W. Thurman, Minnie M. Thurman, General J. Thurman, Sterling A. Lee, Pleasant H. Lee and Annie May Lee, denying the petition for the enrollment of Pollie Belle Crowson, Reuben A. Crowson and Andrew J. Crowson Jr., and dismissing the petition for the enrollment of Delores Lee and Mary Ellen Crowson as citizens by blood of the Choctaw Nation.

The decision, with the proceedings in the case is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully, Tams Bixby
SIGNED
Commissioner.

Muskogee, Indian Territory, January 25, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith record of proceedings in the matter of the enrollment of A. J. Crowson et al., including the decision of the Commissioner to the Five Civilized Tribes, dated January 25, 1907, denying the application and petition for the enrollment of A. J. Crowson, Missouri Gorrell, Addie S. Gorrell, Monroe P. Gorrell, Emma Lee, Mary J. Lee, John A. Crowson, Virginia Thurman, John Felix Lee, James W. Lee, Sterling Price Lee, Silas F. Gorrell, Mildred J. Gorrell, George W. Thurman, Minnie M. Thurman, General J. Thurman, Sterling A. Lee, Pleasant E. Lee, and Annie May Lee, denying the petition for the enrollment of Pellie Belle Crowson, Reuben A. Crowson and Andrew J. Crowson Jr., and dismissing the petition for the enrollment of Delores Lee and Mary Allen Crowson as citizens by blood of the Choctaw Nation.

Respectfully,

SIGNED Tams Bixby

Commissioner.

Through the
Commissioner of Indian Affairs.
C-77.

JP.
E. P.

R. C. 12266-1907.

DEPARTMENT OF THE INTERIOR,

WASHINGTON. March 1, 1907.

RRR,
I. T. D.
5004,5126,5130,5144,5293-1907.
5294,5310,5325,5330,5360- "
5393,5413,5446,5474,5494- "
5500,5504,5508,5512,5516- "
5520,5574,5580,5584,5606- "
5608,5592,5596,5604,5614- "
5618,5640,5616,5650,5658- "
5548-1907. 11266-1906.
DIRECT.

Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:

Your decisions in the following Choctaw citizenship cases adverse to the applicants are hereby affirmed. Copies of Indian Office letters submitting your reports and recommending that the decisions be affirmed are inclosed:

Title of Case.	Date of your letter of transmittal.
Bennie Edmondson	January 14, 1907.
Josephine Lebow, et al.,	February 9, 1907.
Asro Allen Harvey, et al., (freedmen)	February 7, 1907.
Jodie Lee Hancock,	February 6, 1907.
James Lewis Rogers, et al.,	January 28, 1907.
Porter Buckner (freedman)	February 8, 1907.
Esther James (freedman)	February 8, 1907.
Melsie Butler, et al.,	February 7, 1907.
Verna Dunlap, et al.,	January 28, 1907.
Betty Prince, et al.,	June 26, 1906.
Dave Newby, et al.,	January 29, 1907.
John Henry Sanders, et al., (freedmen)	January 26, 1907.
Lois Lucile Ray	January 9, 1907.
Hirskin Parks, et al.,	January 11, 1907.
David D. Tidwell, et al.,	January 9, 1907.
A. J. Greveen, et al.,	January 25, 1907.
Ader Williams, et al., (freedmen)	February 8, 1907.

Title of Case.	Date of your letter of transmittal.
Mary Mowry	January 26, 1907.
Edith Pemi, et al.,	January 26, 1907.
Willie J. Walker, et al.,	January 4, 1907.
Martha McCoy (freedman)	January 21, 1907.
Thomas Virgil Bottens, et al.,	January 9, 1907.
Augustus Morris (freedman)	February 8, 1907.
James Wilson Welch	January 26, 1907.
Vara L. Dillard	January 26, 1907.
Jammie Morris (freedman)	February 8, 1907.
Chesstennie Pearce	December 24, 1906.
Alta A. Brown, et al.,	January 29, 1907.
William Henry Riddle	January 26, 1907.
Lula Newton Hand, et al.,	December 22, 1906.
Manina Maud Carrol	January 26, 1907.
Ruther Ervin, et al.,	November 10, 1906.
Harrison Robison	December 24, 1906.
George Robinson, et al.,	December 24, 1906.
Carvenia Clark	November 10, 1906.
James King	January 26, 1907.
Nettie Brown, et al.,	June 15, 1906.

A copy hereof and all the papers in the above mentioned cases have been sent to the Indian Office.

Respectfully,

Jesse E. Wilson,

Assistant Secretary.

37 inclosures,and
74 to Ind. Of.
AFWo.
2-1-07.

Refer in reply to the following.

COPY.

DEPARTMENT OF THE INTERIOR,

D.C. 12308-1907. OFFICE OF INDIAN AFFAIRS,
Ladd.
9643-1907. WASHINGTON.

February 25, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith the record of proceedings in the matter of the enrollment of A. J. Crowson, et al., including the decision of the Commissioner to the Five Civilized Tribes, dated January 25, 1907, denying the application and petition for the enrollment of A. J. Crowson, Missouri Gorrell, Addie S. Gorrell, Monroe P. Gorrell, Emma Lee, Mary J. Lee, John A. Crowson, Virginia Thurman, John Felix Lee, James W. Lee, Sterling Price Lee, Silas F. Gorrell, Mildred J. Gorrell, George W. Thurman, Minnie M. Thurman, General J. Thurman, Sterling A. Lee, Pleasant E. Lee, and Annie May Lee, denying the application for the enrollment of Pollie Belle Crowson, Reuben A. Crowson and Andrew J. Crowson, Jr., and dismissing the petition for the enrollment of Delores Lee and Mary Ellen Crowson as citizens by blood of the Choctaw Nation.

The record shows that on February 14, 1906, there was filed with the Commissioner to the Five Civilized Tribes a petition praying for the enrollment of the applicants herein as citizens of the Choctaw Nation.

Commissioner Bixby reports that it does not appear from the records of his office that any of the petitioners herein were ever recognized by the tribal authorities as citizens by blood of the Choctaw Nation, and that their names do not appear on any of the tribal rolls of the Choctaw Nation in the possession of his office. Therefore, by reason of the provisions of the Act of June 28, 1898 (30 Stat. L., 495), and the Act of April 26, 1906 (34 Stat. L., 137), the Office concurs in the decision of the Commissioner to the Five Civilized Tribes denying the enrollment of the applicants as citizens of the Choctaw Nation.

Very respectfully,

C. F. Larrabee,

Acting Commissioner.

EBM-D

C-77

Muskogee, IndiannTerritory, April 15, 1907.

A. J. Crowson,

Woodville, Indian Territory.

Dear Sir:

You are hereby advised that on March 1, 1907, the Secretary of the Interior affirmed the decision of this office of January 25, 1907, denying the application and petition for the enrollment of yourself, Missouri Gorrell, Addie S. Gorrell, Monroe P. Gorrell, Emma Lee, Mary J. Lee, John A. Crowson, Virginia Thurman, John Felix Lee, James W. Lee, Sterling Price Lee, Silas F. Gorrell, Mildred J. Gorrell, George W. Thurman, Minnie M. Thurman, General J. Thurman, Sterling A. Lee, Pleasant E. Lee and Annie May Lee, denying the petition for the enrollment of Pollie Belle Crowson, Reube A. Crowson and Andrew J. Crowson Jr., and dismissing the petition for the enrollment of Delores Lee and Mary Ellen Crowson as citizens by blood of the Choctaw Nation.

Respectfully,

Commissioner.

C-87

Muskogee, Indian Territory, April 15, 1907.

John A. Crowson,

Woodville, Indian Territory.

Dear Sir:

You are hereby advised that on March 1, 1907, the Secretary of the Interior affirmed the decision of this office of January 25, 1907, denying the application and petition for your enrollment as a citizen by blood of the Choctaw Nation.

Respectfully,

Commissioner.

C-77

Muskogee, Indian Territory, April 15, 1907.

Missouri Gorrell,

Cliff, Indian Territory.

Dear Madam:

You are hereby advised that on March 1, 1907, the Secretary of the Interior affirmed the decision of this office of January 25, 1907, denying the application and petition for the enrollment of yourself, Addie S. Gorrell, Monroe P. Gorrell, Silas F. Gorrell and Mildred J. Gorrell as citizens by blood of the Choctaw Nation.

Respectfully,

Commissioner.

C-77

Muskogee, Indian Territory, April 15, 1907.

Virginia Thurman,

Cliff, Indian Territory.

Dear Madam:

You are hereby advised that on March 1,,1907, the Secretary of the Interior affirmed the decision of this office of January 25, 1907, denying the application and petition for the enrollment of yourself, George W. Thurman, Minnie M. Thurman and General J. Thurman as citizens by blood of the Choctaw Nation.

Respectfully,

Commissioner.

C-77

Muskogee, Indian Territory, April 15, 1907.

Emma Lee,

Cliff, Indian Territory.

Dear Madam:

You are hereby advised that on March 1, 1907, the Secretary of the Interior affirmed the decision of this office of January 25, 1907, denying the application and petition for the enrollment of yourself, Mary J. Lee, John Felix Lee, James W. Lee and Sterling Price Lee as citizens by blood of the Choctaw Nation.

Respectfully,

Commissioner.

C-77

Muskogee, Indian Territory, April 15, 1907.

Delores Lee,

Cliff, Indian Territory.

Dear Madam:

You are hereby advised that on March 1, 1907, the Secretary of the Interior affirmed the decision of this office of January 25, 1907, dismissing the petition for your enrollment as a citizen by blood of the Choctaw Nation and denying the application and petition for the enrollment of Sterling A. Lee, Pleasant E. Lee and Annie May Lee as citizens by blood of said nation.

Respectfully,

Commissioner.

C-77

Muskogee, Indian Territory, April 15 1907.

Robert Crockett,

Attorney at Law,

Durant, Indian Territory.

Dear Sir:

You are hereby advised that on March 1,,1907, the Secretary of the Interior affirmed the decision of this office of January 25, 1907, denying the application and petition for the enrollment of A. J. Crowson, Missouri Gorrell, Addie S. Gorrell, Monroe P. Gorrell, Emma Lee, Mary J.Lee, John A. Crowson, Virginia Thurman, John Felix Lee, James W. Lee, Sterling Price Lee, Silas F. Gorrell, Mildred J. Gorrell, George W. Thurman, Minnie M. Thurman, General J. Thurman, Sterling A. Lee, Pleasant E. Lee, and Annie May Lee, denying the petition for the enrollment of Pellie Belle Crowson, Reuben A. Crowson, and Andrew J. Crowson Jr., and dismissing the petition for the enrollment of Delores Lee and Mary Ellen Crowson as citizens by blood of the Choctaw Nation.

Respectfully,

Commissioner.

C-77

Muskogee, Indian Territory, April 15, 1907.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on March 1, 1907, the Secretary of the Interior affirmed the decision of this office of January 25, 1907, denying the application and petition for the enrollment of A. J. Crowson, Missouri Gorrell, Addie S. Gorrell, Monroe P. Gorrell, Emma Lee, Mary J. Lee, John A. Crowson, Virginia Thurman, John Felix Lee, James W. Lee, Sterling Price Lee, Silas F. Gorrell, Mildred J. Gorrell, George W. Thurman, Minnie M. Thurman, General J. Thurman, Sterling A. Lee, Pleasant E. Lee and Annie May Lee, denying the petition for the enrollment of Pollie Belle Crowson, Reuben A. Crowson and Andrew J. Crowson Jr., and dismissing the petition for the enrollment of Delores Lee and Mary Ellen Crowson as citizens by blood of the Choctaw Nation.

Respectfully,

Commissioner.

Choctaw 5884

Muskogee, Indian Territory, June 16, 1902.

E. D. Macready,

Kingston, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 11th instant, in which you ask to be advised if A. J. Clowsin is enrolled as a Choctaw citizen.

You are advised that it does not appear from the records of this office that any person by the name of A. J. Clowsin has been listed for enrollment by this Commission as a citizen of the Choctaw Nation or that any application has ever been made for such enrollment.

You are advised however that on October 12, 1898, A. J. Crowson, 53 years of age, of Woodville, Indian Territory, was listed for enrollment by this Commission as a citizen of the Choctaw Nation, having been admitted to such citizenship by judgment of the United StatesCourt for the Central District of the Indian Territory, rendered at South McAlester, Indian Territory, on August 27, 1897, in Choctaw citizenship case No. 74.

If this is not the person concerning whom you inquire and you will state his full name and age, and the time and place application was made for his enrollment and the names of the other

2 D W S

members of his family, the matter will be given further consideration.

Yours truly,

Acting Chairman.

368—K

No

Marriage License.

Certified Copy

A J Crowson

AND

Mary Elizabeth Crambler

Issued the 15" day of

May 1892

T. A. Hudson

Clerk County Court Grayson Co.

By Deputy

Filed the day of

189

Clerk County Court Co

By Deputy

Recorded in Book Page of Marriage Records

7-5726

[redacted]

Marriage License.

STATE OF TEXAS

COUNTY OF GRAYSON

To any Judge of the District Court, Judge of the County Court, Ordained or Licensed Minister Jewish Rabbi, or Justice of the Peace of Grayson County Greeting:

You are Hereby Authorized to Celebrate the

RITES OF MATRIMONY

Between A J Crowson

and Mary Elizabeth Bra[illegible]le

and make due return to the Clerk of said Court within sixty days thereafter, certifying your action under this License.

(L S)

Witness my Official Signature and Seal this 15th day of July 1872

T. H. Hudson Clerk

By J. W. Westbrook Deputy

I C. J. Hinkle certify that on the 15th day of July 1872 I united in Marriage A. J. Crowson

and Mary Elizabeth Bra[illegible]le the parties above named.

Witness my hand this 15th day of July 1872

C. J. Hinkle Justice of the Peace

[illegible]

Deputy County Clerk

Clarke & Courts, Stationers, Printers & Lithographers, Galveston.

END
OF
ROLL

